

EXHIBIT E

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF NEW YORK
3 Case No. 17 cv-05828-MKB-VMS

4 LAUREN HALL, on behalf)
5 of herself and others)
6 similarly situated,)
7 Plaintiff,)

8 v.)

9 WELCH FOODS, INC., A)
10 COOPERATIVE, and THE)
11 PROMOTION IN MOTION)
12 COMPANIES, INC.,)
13 Defendants.)

14 -----)

15 VIDEOTAPE DEPOSITION OF:

16 LAUREN HALL
17 OCEAN, NEW JERSEY
18 MARCH 28, 2018

19
20
21
22
23
24 REPORTED BY:
25 SILVIA P. WAGE, CCR, CRR, RPR
JOB NO. 139464

Page 2

1 LAUREN HALL

2
3
4 March 28, 2018
5 9:07 a.m.6 Videotaped deposition of LAUREN HALL,
7 held at the offices of ANSELL GRIMM & AARON, 1500
8 Lawrence Avenue, Second Floor, Ocean, New Jersey,
9 pursuant to agreement before SILVIA P. WAGE, a
10 Certified Shorthand Reporter, Certified Realtime
11 Reporter, Registered Professional Reporter, and
12 Notary Public for the States of New Jersey, New
13 York and Pennsylvania.
14
15
16
17
18
19
20
21
22
23
24
25

Page 3

1 A P P E A R A N C E S:

2 ANSELL GRIMM & AARON

3 Attorneys for Plaintiffs

4 365 Rifle Camp Road

5 Woodland Park, New Jersey 07424

6 BY: MICHAEL ANSELL, ESQ.
7

8 VENABLE

9 Attorneys for Defendants

10 2049 Century Park East

11 Los Angeles, California 90067

12 BY: DANIEL SILVERMAN, ESQ.
13
14
15
16

17 A L S O P R E S E N T:

18 ELLEN HOROWITZ DALE, ESQ.

19 GENERAL COUNSEL

20 THE PROMOTION IN MOTION COMPANIES, INC.

21 JOSHUA BLECHNER, ESQ.

22 ASSOCIATE GENERAL COUNSEL

23 THE PROMOTION IN MOTION COMPANIES, INC.

24 MATTHEW SMITH

25 VIDEOGRAPHER

Page 4

1 LAUREN HALL

2 THE VIDEOGRAPHER: This begins media
3 labeled No. 1 of the video recorded deposition of
4 Lauren Hall in the matter of Lauren Hall, on
5 behalf of herself and others similarly situated,
6 v. Welch Foods, Incorporated, a cooperative, and
7 The Promotion in Motion Companies, Incorporated,
8 for the United States District Court, Eastern
9 District of New York.10 This deposition is being held at 1500
11 Lawrence Avenue in Ocean, New Jersey on March 28,
12 2018 at, approximately, 9:08 a.m.13 My name is Matthew Smith for TSG
14 Reporting, Incorporated. I'm the legal video
15 specialist. The court reporter is Silvia Wage in
16 association with TSG Reporting.17 Will counsel please introduce yourself for
18 the record.19 MR. ANSELL: Michael Ansell of Ansell
20 Grimm & Aaron on behalf of the Plaintiff Lauren
21 Hall.22 MR. SILVERMAN: Dan Silverman of
23 Venable on behalf of Defendants Welch Foods,
24 Inc., and The Promotion and Motion in Companies,
25 Inc.

Page 5

1 LAUREN HALL

2 (There is a discussion off the record.)

3 MS. HOROWITZ DALE: Ellen Horowitz
4 Dale, General Counsel Promotion in Motion
5 Companies, Inc.6 THE VIDEOGRAPHER: And is there
7 anyone on the phone presently?

8 MS. HOROWITZ: Not yet.

9 THE VIDEOGRAPHER: Okay.

10 L A U R E N H A L L,
11 2424 Homestead Avenue, Spring Lake Heights,
12 New Jersey 07762, called as a witness,
13 having been duly sworn by a Notary Public,
14 was examined and testified as follows:

15 EXAMINATION BY MR. SILVERMAN:

16 Q. Good morning, Ms. Hall. As I said,
17 my name is Dan Silverman. I represent the
18 Defendants in this case.19 Can you please state and spell your full
20 name for the record.21 A. Yeah, Lauren Hall, L-a-u-r-e-n, Hall,
22 H-a-l-l.23 Q. Have you ever had your deposition
24 taken before?

25 A. No.

LAUREN HALL

Q. Okay. Let me go over the ground rules for the deposition.

Before I do that, have you met with counsel to prepare for your deposition today?

A. I have spoken with my counsel.

Q. In person or by phone?

A. Both.

Q. When did you first speak with them -- well, was the first time in person or by phone to prepare for the deposition?

A. Phone.

Q. When was that?

A. Monday.

Q. And who did you speak with?

A. Michael.

Q. Michael Ansell who is here today?

A. Uh-huh.

Q. And for how long did you speak with Mr. Ansell?

A. Thirty minutes.

Q. And when was the next time you either spoke with or met with Mr. Ansell or anybody else from Plaintiff's counsel's?

A. This morning.

LAUREN HALL

Q. And who did you meet with this morning?

A. Michael.

Q. For how long did you meet?

A. I was here at 8:15.

Q. And met until how long?

A. Couple discussions in and out. He left to let you in, so discussion perhaps maybe ten minutes.

Q. And this morning when you met with Mr. Ansell, did you review any documents?

A. Just the documents I was provided with, some of my answers to the questions that started this case.

Q. What do you mean, "answers to the questions that started this case," what do you mean by that?

A. Like the questions about purchasing the fruit snacks, how long I purchased them, which I purchased --

Q. Questions --

A. -- what time; yes.

Q. Questions that we had -- they're called interrogatories --

LAUREN HALL

A. Yeah.

Q. -- you're talking about those?

A. Uh-huh.

Q. Had you reviewed those interrogatories before this morning?

A. No.

Q. Did you provide the information that went into those interrogatories?

A. Yes.

Q. When did you provide that information?

A. Maybe over the summer sometime.

Q. Summer of -- summer of what, summer of '17?

A. '17. Right? Wait.

Q. So, since the summer of '17 -- so what -- you provided information in the summer of '17 about what, your purchase history?

A. Yeah.

Q. Anything else?

A. I mean, purchase history, where I bought them, why I bought them, things about my family, who I bought them for.

Q. And since that time, since the summer

LAUREN HALL

of '17, 2017, have you met or spoken with Plaintiff's counsel about this case?

A. Spoken briefly a few times just updates, nothing really about the case, just...

MR. ANSELL: I'm just going to object to -- he's asking about time, not content of the communications, and any communications are privileged.

A. Okay. So how long have we spoken; is that what you're asking?

Q. How many times and about when. You said you spoke a few times.

A. Maybe two or three just with updates.

Q. So nothing substantive?

A. No.

MR. ANSELL: Objection, attorney-client privilege.

[INSTRUCTION] You don't have to answer.

MR. SILVERMAN: It was a yes or no question. I'm not asking the content of the communication.

MR. ANSELL: You're asking what it was about, what the communications were about. Of course, it's about substance.

Page 10

LAUREN HALL

Q. And about, approximately, when were each of those "two to three" communications?

A. I don't recall.

Q. When was the last of the "two or three" communications prior to Monday when you said you prepared for your -- you had a call for "30 minutes" to prepare for today?

A. Before Monday's call? Before Monday's call?

Q. Yes.

A. Maybe early February to see if I was okay to do the deposition.

MR. ANSELL: Object. Just -- objection in regard to attorney-client privilege.

You're not to provide answers regarding the content of our communication.

Q. Okay. Other than early February, prior to that when was the other times that you spoke with counsel?

A. Maybe a few months prior, November.

Q. And about how long was the conversation you had in "early February?"

A. Short, a few minutes.

Q. Less than five?

Page 11

LAUREN HALL

A. Yes.

Q. Two?

A. Sure.

Q. How about the conversation you had in about November, how long was that conversation?

A. Same, very short, under ten.

Q. Under five?

A. I don't really recall.

Q. And before that, when did you speak with him?

A. Maybe back in the summer of 2017.

THE VIDEOGRAPHER: Counsel, can we go off the record for just one moment.

MR. SILVERMAN: Yes.

THE VIDEOGRAPHER: It will be quick. I promise.

The time is 9:16 p.m. and we're off the record.

(Recess taken 9:16 to 9:17 p.m.)

THE VIDEOGRAPHER: The time is 9:17 a.m. We're on the record.

Q. Ms. Hall, you had said that the time before November you said you had spoken with counsel in November for less than ten minutes.

Page 12

LAUREN HALL

Before that you said it was in the summer of '17.

About how long did that conversation last?

A. Maybe 20 minutes to 30 minutes.

Q. Was that the initial conversation?

A. Yes.

Q. Who did you speak with?

A. Michael.

Q. Michael Ansell?

A. Uh-huh.

Q. And was he the person you spoke with in November as well?

A. Yes.

Q. Is he the only person you've spoken with --

A. Yes.

Q. -- at Plaintiff's counsel?

A. Yes.

Q. Is he the only person you've ever met with from Plaintiff's counsel firm?

A. Well, I've spoken with Nick. I don't recall his last name.

Q. Is he a lawyer, to your knowledge?

A. Yes. I really...

Q. He works at Plaintiff's counsel's

Page 13

LAUREN HALL

firm?

A. No. I can't think of his last name, I'm sorry; on Monday.

Q. You spoke with somebody named "Nick" on Monday on the phone?

A. Yes, with Michael.

Q. But he's not a lawyer at Michael's firm?

A. No.

Q. And he's a lawyer?

A. Yes.

Q. Do you know what law firm he's at?

A. No.

Q. How do you know that he's at a different firm?

A. Because I know. It was told to me.

Q. Could his name be Kim?

A. Yes, that's it. I'm sorry. I'm so sorry.

Q. Kim Richmond?

A. Yes.

Q. So, in the prep call --

A. Yes.

Q. -- you had on Monday for this

Page 14

LAUREN HALL

deposition, you spoke with Michael Ansell and Kim Richmond?

A. Yes.

Q. On the conversation -- prior to Monday, is there anybody you spoke with --

A. No.

Q. -- other than Mr. Ansell?

A. No.

Q. Had you ever met with Mr. Ansell or any of the Plaintiff's counsel before today?

A. No.

Q. And the initial conversation you had to discuss your purchasing and where you bought and why and who you bought for, the information you told us earlier, that took place on the 20 to 30-minute call you had in the summer of '17?

MR. ANSELL: Objection. It calls for attorney-client privilege. [INSTRUCTION]

Q. Did you speak with Mr. Ansell or anybody else at his firm or any other lawyer prior to the summer of '17?

A. No.

Q. Any other conversations that you had other than the conversation you had this morning,

Page 15

LAUREN HALL

Monday by phone, the calls you had in November and the summer of '17?

A. No.

Q. I'm sorry. You said February of '18, November of '17 and the summer of '17; any others?

A. Not that I recall.

Q. So -- okay. So let me go over the ground rules for the deposition. You've never been deposed, so let me kind of tell you what's going to happen here today.

I'm going to ask you questions. You're going to answer the questions. The court reporter is writing down everything that we say. There may be times that your counsel objects. He's done so so far a few times. Unless he instructs you not to answer a question, you can answer it, to the extent you understand it.

If you don't understand a question, please let me know that and I'll re-ask it or rephrase it cause I will expect that if you answer my question, you understood it and you're giving your best recollection, your best testimony, truthful testimony; understood?

Page 16

LAUREN HALL

A. Uh-huh, yes.

Q. And the other thing is you're going to have to give yeses and nos --

A. Yes.

Q. -- rather than grunts or nodding because the court reporter can't take down the grunts and the nods.

The other ground rule is that if you -- there may be times when you anticipate a question. If you could wait until I finish the question before you answer. I'll wait until you finish answering before I ask the next question. It's going to make our court reporter's life much easier --

A. Okay.

Q. -- fair?

A. Yeah.

Q. There also may be times where I ask you for dates. I'm entitled to your best recollection. I've already asked you some dates. You gave me some approximate dates, approximate times. I am entitled to your best recollection. I don't want you to give me a complete guess. So if you don't know the exact day something

Page 17

LAUREN HALL

happened but you know the month or the season or the year, I'm entitled to that.

A. Okay.

Q. So just give me your best recollection; understood?

A. Yes.

Q. Is there any reason you can't give your best testimony today?

A. No.

Q. Did you take any medication or anything that would impair your memory or --

A. No.

Q. And you understand that you took the oath to testify under penalty of perjury? You understand what that means?

A. Yes.

Q. What does that mean to you?

A. That means if I don't tell the truth, I have consequences.

Q. What "consequences" do you understand?

A. Legal consequences.

Q. Okay. I'm going to show you what's marked as Exhibit 1, the deposition notice for

Page 18

LAUREN HALL

today's deposition.

(Deposition Exhibit Hall 1, Defendants' Amended Notice of Deposition of Plaintiff Lauren Hall, was marked for identification.)

Q. And Exhibit 1 is entitled, "Defendants' Amended Notice of Deposition of Plaintiff Lauren Hall."

Have you ever seen this document before?

A. Yes.

Q. When did you first see it?

A. Last week.

Q. Was it mailed to you or...

A. E-mailed.

Q. I had asked you earlier whether you had reviewed any documents to prepare for the deposition. You said that -- I think, you said it was this morning you reviewed your Answers to Interrogatories; is that correct?

A. Yes.

Q. You seem to have a puzzled look. I'm not sure...

A. The -- yeah, didn't I sign this? I'm sorry, they look the same. But I thought I signed something that looked similar to this.

Page 19

LAUREN HALL

Q. You wouldn't have signed my deposition notice.

A. Then I did not see this.

Q. Okay. So how did you -- if you never saw the deposition notice, was it just the date and location just communicated to you by counsel?

MR. ANSELL: Objection, calls for attorney-client communication. [INSTRUCTION]

MR. SILVERMAN: Well, I'm entitled to know how she got here today and why she's here today. If she never saw the notice, how did she know we were supposed to be here today?

MR. ANSELL: Is she here?

MR. SILVERMAN: Yes, just by magic she's here --

MR. ANSELL: By magic?

MR. SILVERMAN: -- for the day we noticed it.

Q. You never saw the deposition notice before?

A. I don't think so, no.

Q. So what did you receive by e-mail last week?

MR. ANSELL: Again, objection, calls

Page 20

LAUREN HALL

for attorney-client communication. [INSTRUCTION] She's not going to answer. It calls for a communication.

Q. You said that it was this morning that you reviewed your Answers to Interrogatories?

A. Yes.

Q. And you had not seen them before, correct?

A. I signed a verification document that I reviewed that had some of my responses to questions on them. That's what this looks like. But this is not what I had seen.

Q. Well, a verification is a one-page document. You signed a verification.

But earlier you testified you had not seen your interrogatory responses in writing before this morning, correct?

A. I don't recall that I said that I didn't see them before. But, I mean, I answered the questions, so I had seen the questions.

Q. Well, you said you provided the information for the responses in the summer of 2017, but you had not seen the actual responses

Page 21

LAUREN HALL

until this morning.

A. No, I provided -- I, obviously, saw them, if I provided the answers in the summer of '17.

Q. Well, no, that's not obvious. You could have provided the answers and then based upon what you provided in the summer of '17 responses could have been prepared that you hadn't seen.

MR. ANSELL: Objection, argumentative.

Q. So do you know if you saw the responses prior to today?

A. I saw them when I gave them.

Q. Okay.

MR. SILVERMAN: Should we move? I don't know what you think is best.

THE VIDEOGRAPHER: Can we go off the record for a moment.

MR. SILVERMAN: Yeah.

THE VIDEOGRAPHER: The time is 9:27 a.m. We're off the record.

(Recess taken 9:27 to 9:35 a.m.)

THE VIDEOGRAPHER: The time is

LAUREN HALL

9:35 a.m. We're on the record.

Q. Alright. We are back. We've moved rooms. We've got power. So continuing where we were.

I think I was asking you about your interrogatory responses and whether you had seen them before this morning.

Have you seen your interrogatory responses before this morning?

A. Yes.

Q. When did you see them?

A. When I gave them in the summer of '17.

Q. Anytime after that?

A. No.

Q. Have you seen the lawsuit that was filed in this case?

MR. ANSELL: Object to form.

Q. The Complaint, have you seen the complaint that your counsel filed?

A. Yes.

Q. When did you see that?

A. Last week.

Q. Had you seen it before last week?

LAUREN HALL

A. No.

Q. So before the lawsuit -- the Complaint was filed, which contained a bunch of allegations, you hadn't reviewed it to confirm the accuracy of the allegations?

A. Well, I saw it last week.

Q. Yeah, but it was filed a year ago.

You hadn't seen it before it was filed?

A. No.

Q. And just to be clear on people you've met with or spoken with, is there anybody else that you've ever spoken with, any other lawyer that you've ever spoken with about this case other than Mr. Ansell, who is sitting here today, who you said you spoke with a few times, and Mr. Richmond who joined the call on Monday?

A. No.

Q. And you didn't meet with any lawyers about this case prior to this morning?

A. No.

Q. I'm going to show you what we'll mark as Exhibit 2, which is entitled, "Class Action Complaint and Jury Demand."

(Deposition Exhibit Hall 2, Class Action

LAUREN HALL

Complaint and Jury Demand, was marked for identification.)

Q. Take a look through that and tell me if you've ever seen it before.

A. Yes.

Q. Was this what you saw last week?

A. No.

Q. When did you see this?

A. This morning.

Q. Had you seen it prior to this morning?

A. I don't recall.

Q. Do you see on the top of this it says -- it's dated that it was filed on April 5th, 2017?

A. Yes.

Q. And then the last page, there is a signature, Page 28. It's dated April 3rd, 2017.

A. Yes.

Q. So does that refresh your recollection that -- you had testified several times about the first conversation you had was in the summer of 2017 and you said you were provided information for the interrogatories in the summer

LAUREN HALL

of 2017.

Was it in the summer or before April?

A. I don't recall. It could have been.

Q. You don't remember whether it was before or after April?

A. I don't.

Q. I'm going to show you what we're going to mark as Exhibit 3.

(Deposition Exhibit Hall 3, First Amended Class Action Complaint and Jury Demand, was marked for identification.)

Q. Exhibit 3 is entitled, "First Amended Class Action Complaint and Jury Demand."

Tell me if you've ever seen that before.

A. I think so. I mean, it looks just like the other one.

Q. Well, do you recall seeing both of them, one of them, neither of them?

A. I've seen legal documents. I think I saw this this morning. But I didn't read through 28 pages this morning so...

Q. So you think you saw either the original Complaint or the Amended Complaint this morning, but you don't remember which one?

Page 26

LAUREN HALL

A. I don't.

Q. And this was filed on June 26, 2017, just for the record.

So you think you saw a complaint this morning, you don't know which one, whether it was Exhibit 2 or Exhibit 3?

A. I don't know which one.

Q. Could it have been either one? You saw --

A. Sure.

Q. -- something else?

A. Yes.

Q. And prior to this morning, had you ever seen either the original Complaint or the First Amended Complaint?

A. Yes.

Q. Well, I asked you earlier about Exhibit 2, which was a complaint, and you say you saw it for the first time this morning.

A. I said I saw it this morning.

Q. I think you said -- I can have the reporter read it back. But I'm pretty sure you saw it for the first time this morning.

Are you saying you saw it prior to this

Page 27

LAUREN HALL

morning?

A. Yeah, last week I thought I said.

Q. So you saw the Complaint, either Exhibit 2 or Exhibit 3, you're not sure which one, but you think you saw it for the first time last week?

A. Uh-huh.

Q. Is that a yes?

A. Hang on.

Q. You're kind of --

A. Yeah.

Q. You kind of made a grunt --

A. You know what --

Q. -- so-to-speak and the court reporter --

A. -- because I did see a complaint, but the one that I saw last week did not have all these depictions. I did not see these depictions until today. That's why it's throwing me off.

Q. What do you mean by "depictions?"

A. These pictures, these illustrations on Page 9, Page 10, Page 11.

Q. It could have been your interrogatories, the interrogatories you saw last

Page 28

LAUREN HALL

week and not the Complaint?

A. Sure, yes, it could be.

Q. Well, what you saw last week, was it a bunch of questions and answers?

A. Yes.

Q. Okay. So let me try to clear this up and show you --

A. This I did not see until this morning. Either one of these, I don't know if it was amended or not.

Q. But you think you saw them this morning, one of those two?

A. No, I know I saw one of the two this morning. I do not know if it was amended or not.

Q. And last week what you think you saw was interrogatories?

A. Yes.

Q. Okay. Well, let me show you, just to make sure we're clear here. I'll show you -- we'll mark as Exhibit 4s, 5, and 6 various discovery.

Exhibit 4 is going to be Defendant Promotion in Motion Company Interrogatory Set One to Plaintiff Lauren Hall. It's going to be

Page 29

LAUREN HALL

Exhibit 4.

(Deposition Exhibit Hall 4, Defendant the Promotion in Motion Companies, Inc.'s Interrogatories, Set One, to Plaintiff Lauren Hall, was marked for identification.)

MR. SILVERMAN: Exhibit 5 is going to be "Defendant Welch Foods, Inc., a Cooperative's Interrogatories, Set One, to Plaintiff Lauren Hall."

(Deposition Exhibit Hall 5, Defendant the Welch Foods Inc., a Cooperative's Interrogatories, Set One, to Plaintiff Lauren Hall, was marked for identification.)

MR. SILVERMAN: And Exhibit 6 is going to be "Defendant Welch Foods, Inc., a Cooperative, and The Promotion in Motion Company Inc., Request for Production of Documents, Set One, to Plaintiff Lauren Hall."

(Deposition Exhibit Hall 6, Defendants Welch Foods Inc., a Cooperative and the Promotion in Motion Companies, Inc.'s Request for Production of Documents, Set One, to Plaintiff Lauren Hall, was marked for identification.)

Q. Okay. Look through Exhibits 4, 5 and

LAUREN HALL

6 and tell me if you've ever seen these before.

A. Yes.

Q. You saw all of those?

A. Yes.

Q. About when did you see them?

A. Last week and this morning. I don't recall. I'm sorry, I don't recall.

Q. Could it have been last week or it could have been this morning, you don't recall which one?

A. I definitely didn't see these this morning. I'm -- but I have seen these.

Q. You think it was last week?

A. Yes, I think it was last week when I signed the verification.

Q. Well, let me show you the responses. Because what I showed you, 4 through 6, were the questions, the interrogatories and the request for documents. I'm going to show you now the responses to them.

MR. SILVERMAN: I'll mark as Exhibit 7 "Plaintiff's Answers to Defendant's First Set of interrogatories." Actually, you know what -- yeah, okay. It says, "Plaintiff's

LAUREN HALL

Answers to Defendant's First Set of Interrogatories." It's, specifically, to the Defendant The Promotion in Motion interrogatories.

But two different sets were served, one for Welch's and one for The Promotion in Motion. So this is Promotion in Motion's set.

A. Yes.

MR. SILVERMAN: So we'll mark it as Exhibit 7.

(Deposition Exhibit Hall 7, Plaintiff's Answers to Defendant's First Set of Interrogatories, was marked for identification.)

Q. Tell me if you've ever seen Exhibit 7 before.

A. Yes.

Q. When did you first see them?

A. "First?"

Q. Yes.

A. Maybe a week or two ago.

Q. Do you see on the last page, they're dated March 7th, 2018?

A. Yes.

Q. Do you recall whether you saw them

LAUREN HALL

before or after March 7th?

A. I saw them on March 7th.

Q. And did you review these responses before they were served to confirm the accuracy?

A. I reviewed before I signed.

Q. When you signed what?

A. On March 7th.

Q. What did you sign on March 7th?

A. Or when I signed the verification.

Q. Right. But I'm going to mark as Exhibit 8 the verification because it's signed on March 23rd.

A. So last week when I saw them; sorry.

Q. Okay.

MR. SILVERMAN: We'll mark as Exhibit 8.

A. Before March 7th, I did not see them then.

(Deposition Exhibit Hall 8, Verification signed by Lauren Hall 3/23/18, was marked for identification.)

Q. Okay. Exhibit 18 entitled -- it says, "I Lauren Hall declare I am a Plaintiff in the above captioned action. I have read the

LAUREN HALL

foregoing objections and responses to Defendant's First Set of Interrogatories. I know its content. I believe that all matters stated in my answers therein are true and on that ground certify and declare under penalty of perjury, under the laws of the United States of America that they are true and correct executed this 23rd day of March, 2018," and there is a signature.

Did you sign that?

A. Uh-huh.

Q. Is that your signature?

A. Yes.

Q. And did you sign it on March 23rd?

A. Yes.

Q. Was that the first day you saw the responses?

A. No.

Q. When did you see the responses?

A. That week.

Q. So the 23rd was a Friday; sometime between the 19th and the 23rd?

A. Yes. Because when I saw them, I signed it on the 23rd.

Q. Okay. I'm going to show you as

1 LAUREN HALL

2 Exhibit 9 the responses that you gave to the
3 Welch's interrogatories.

4 (Deposition Exhibit Hall 9, Plaintiff's
5 Answers to Defendant's First Set of
6 Interrogatories, was marked for identification.)

7 Q. Take a look through the Welch's --
8 the responses you gave to the Welch's
9 interrogatories. Tell me if you've ever seen
10 those responses before.

11 A. Yes.

12 Q. And when did you -- did you see those
13 sometime the week of the 19th as well?

14 A. Yes.

15 Q. And that was the first time you saw
16 them?

17 A. Yes.

18 Q. Okay. Did you review the responses
19 at that time, the...

20 A. Yes.

21 Q. Confirming the accuracy?

22 A. (No response.)

23 Q. Okay.

24 THE STENOGRAPHER: I'm sorry. You
25 didn't answer the question.

1 LAUREN HALL

2 Did you confirm the accuracy?

3 THE WITNESS: Yes.

4 (There is a discussion off the record.)

5 Q. And you see those are dated March 7th
6 as well?

7 A. Uh-huh, yes.

8 Q. But you didn't see them until
9 sometime the week of 19th of March, right?

10 A. Correct.

11 Q. I'm going to show you Exhibit 10,
12 another verification.

13 (Deposition Exhibit Hall 10, Verification
14 signed by Lauren Hall 3/23/18, was marked for
15 identification.)

16 Q. Take a look at that. It's dated
17 March 23rd, 2018.

18 Is that your signature?

19 A. Yes.

20 Q. And you signed the verification to
21 the Welch's responses?

22 A. Yes.

23 Q. So you reviewed the responses
24 sometime between March 19th and 23rd and you
25 signed it on the 23rd?

1 LAUREN HALL

2 A. Yes.

3 Q. Okay. I'm going to show you what
4 we'll mark as Exhibit 11.

5 (Deposition Exhibit Hall 11, Plaintiff's
6 Supplemental Answers to Defendant's First Set of
7 Interrogatories, was marked for identification.)

8 Q. Exhibit 11 is entitled, "Plaintiff's
9 Supplemental Answers to Defendant's First Set of
10 Interrogatories."

11 Take a look through that and tell me --
12 and these are, specifically, responsive to the
13 interrogatories served by the The Promotion in
14 Motion Companies.

15 This document, tell me if you've ever seen
16 these responses before.

17 A. I don't recall.

18 Q. You don't recall whether you've ever
19 seen them?

20 A. I don't.

21 Q. They're dated -- take a look at the
22 last page. They're dated March 22nd.

23 A. (The witness complies.)

24 Q. So six days ago. You don't recall
25 whether in the last six days you've seen them?

1 LAUREN HALL

2 A. I don't recall.

3 Q. We'll mark as Exhibit 12 the
4 verification that bears your signature.

5 (Deposition Exhibit Hall 12, Verification
6 signed by Lauren Hall 3/26/18, was marked for
7 identification.)

8 Q. This is a verification.

9 Is that your signature?

10 A. Yeah.

11 Q. And it's dated March 26, 2018?

12 A. Yes.

13 Q. Do you recall signing this
14 verification --

15 A. Yes.

16 Q. -- on two days ago?

17 A. Yes.

18 Q. Were you provided the discovery
19 responses, the interrogatories that accompanied
20 this verification, that you were verifying the
21 responses?

22 A. Yes, with this -- this document.

23 Q. What's "this document?"

24 A. I don't know. I have 11 in front of
25 me.

LAUREN HALL

Q. What exhibit number is it, so I know what you're talking about?

A. Eleven.

Q. So the supplemental responses?

A. Supplemental responses I did see with the original -- the original questions last week or two weeks ago. When I received -- when I signed these, I received them altogether. I was asked to provide this after I received everything.

There was no signature page on this originally, correct?

Q. What "signature page" on what?

A. This document.

Q. Which "document," Exhibit 11 --

A. Yes.

Q. -- supplemental responses?

I'm not sure what you mean by "no signature page."

A. I didn't have to sign this page, correct? It was provided to me with the others.

Q. The verification was provided to you "with the others?"

A. No.

LAUREN HALL

Q. What do you mean? I don't understand what you're saying.

A. I have 11 documents in front of me that all look pretty similar. So, I think, I've seen this.

Q. You think you've seen Exhibit 11 but you're not sure?

A. Yes. I'm not really sure what your question is.

Q. I'm asking you whether you were provided the supplemental answers to which you were verifying the truth and accuracy.

A. Is Exhibit 11 the supplemental answers?

Q. Yes.

A. Yes, I was.

Q. And when were you provided that?

A. The week of the 19th.

Q. And you verified it on the 26th?

A. Correct.

Q. Do you recall whether it was before or after the 22nd that you first saw them?

MR. ANSELL: Objection, asked and answered.

LAUREN HALL

Q. You can answer.

A. Do I recall if it was when? I'm sorry, can you repeat that.

Q. Before or after the 22nd of March that you reviewed the supplemental responses?

A. After.

Q. I asked you earlier about documents you reviewed to prepare for your deposition. And I was showing you a whole bunch of documents. I showed you the original Complaint, the Amended Complaint a bunch of discovery.

Does that refresh your recollection as to what documents, if any, you have seen before today?

A. No.

Q. You testified a little bit ago that the Complaint -- you're not sure whether it was original Complaint or the Amended Complaint, but the first time you saw it was this week -- not this week, but this morning, correct?

MR. ANSELL: Objection.

Q. With the "depictions?"

MR. ANSELL: Objection, to the extent that you're mischaracterizing previous testimony.

LAUREN HALL

MR. SILVERMAN: Well, I think, she was confusing the Complaint with the interrogatories, which is exactly why I went through them.

Q. Because you said you had never seen this with the "pictures" and "depictions."

And I said, well, could this have been interrogatories.

And you said, yeah, it might have been.

So now that you've seen the Complaint, original and Amended, and the various interrogatories and your responses, does that refresh your recollection as to which -- what you were referring to when you say you saw --

A. The "depictions" has the Complaint -- is the Complaint?

Q. Yes.

A. Yes, I saw that this morning.

Q. The first time you saw it was this morning?

A. Yes.

Q. You you've never seen it before?

A. No.

Q. The original or Amended Complaint,

1 LAUREN HALL

2 you have not seen before this morning?

3 A. No.

4 Q. Were there any other documents that
5 you saw before this morning, other than possibly
6 the interrogatories or the interrogatory
7 responses?

8 A. No.

9 Q. Do you recall seeing document
10 requests asking you to produce various documents
11 in this case?

12 A. No.

13 Q. I'm going to show you the document
14 request and see if that refreshes your
15 recollection at all.

16 (Deposition Exhibit Hall 13, Plaintiff
17 Lauren Hall's Responses and Objections to
18 Defendants' First Set of Request for Production
19 of Documents, was marked for identification.)

20 Q. Can I make sure I mark the correct
21 exhibit. I may have given you the -- tell me
22 what Exhibit 6 is.

23 (There is a discussion off the record.)

24 Q. Okay. So take a look at Exhibit 6.
25 I've asked you about interrogatories and your

1 LAUREN HALL

2 responses to interrogatories and supplemental
3 responses. Exhibit 6 is document requests.

4 A. (The witness complies.)

5 Q. Tell me if you've ever seen that
6 before.

7 A. No.

8 Q. Just for the record, 64 requests for
9 documents and you said you've never seen this
10 before?

11 A. No.

12 Q. Alright. Well, I'm now going to mark
13 as Exhibit 13 -- are we on 13?

14 Thirteen is entitled, "Plaintiff Lauren
15 Hall's Responses and Objections to Defendant's
16 First Set of Requests for Production of
17 Documents."

18 (Deposition Exhibit Hall 13, Plaintiff
19 Lauren Hall's Responses and Objections to
20 Defendant's First Set of Requests for Production
21 of Documents, was marked for identification.)

22 (There is a discussion off the record.)

23 Q. Take a look through Exhibit 13. Tell
24 me if you've ever seen it before.

25 A. No.

1 LAUREN HALL

2 Q. So sitting here today you do not know
3 what documents were requested that you produced?

4 A. No.

5 Q. Were you ever asked to produce
6 documents in this case, anybody ever -- to gather
7 documents, any documents you had relevant to this
8 --

9 MR. ANSELL: Objection, calls for
10 attorney-client communication. [INSTRUCTION]

11 Q. Do you know whether you have any
12 documents responsive to these requests, since you
13 were never asked for it?

14 A. I don't recall.

15 MR. ANSELL: Objection,
16 mischaracterization of testimony.

17 MR. SILVERMAN: Oh, no. It's an
18 exact characterization of testimony and we've got
19 a problem.

20 MR. ANSELL: She never said she
21 wasn't asked.

22 Q. You don't know whether you have any
23 documents responsive to these 64 requests, right?

24 A. I don't know.

25 Q. Tell me generally whether -- you said

1 LAUREN HALL

2 you saw the Complaint, either the original or the
3 Amended Complaint, for the first time this
4 morning.

5 Tell me generally what are the allegations
6 in the Complaint, since your name is on the
7 caption, you're the one suing Welch's, Welch
8 Foods and The Promotion in Motion. What are your
9 allegations?

10 A. Deceptive advertising.

11 Q. Be more specific, please.

12 A. Let's see, better alternatives of
13 fruit smacks because they have no preservatives,
14 made with real fruit. They have vitamins,
15 hundred percent of vitamins.

16 Q. And how is that "deceptive
17 advertising?"

18 A. Because there are preservatives. It
19 isn't made with real fruit and it's not a hundred
20 percent of vitamin intake for my children.

21 Q. What "hundred percent of vitamin
22 intake" are you talking about?

23 A. It's hundred percent of your daily
24 vitamin intake of Vitamin C and it's deceptive
25 advertising.

Page 46

LAUREN HALL

Q. Okay. Anything else you recall from your -- what the allegations are?

A. No.

Q. What's that?

A. No.

Q. We'll get into this in more detail.

But what is your basis for saying that the product does not have real fruit?

MR. ANSELL: Object to form.

You can answer.

A. I refer to my counsel.

Q. Well, these are allegations in your Complaint. You have alleged as the Plaintiff suing my clients that -- and you just testified that the product does not have real fruit.

What is that based on?

A. The No. 1 ingredient is fruit puree and concentrate. Is that real fruit?

Q. You're saying "fruit puree" is not real fruit?

A. No. I refer to my counsel and the investigation of my counsel.

Q. Well, it's your testimony sitting here today that the reason you say it's not real

Page 47

LAUREN HALL

fruit because fruit puree and fruit juice concentrate are not real fruit?

A. No.

Q. "No," what?

A. It's not, I guess.

Q. You're saying -- your testimony is that fruit puree and fruit juice concentrate are not real fruit?

MR. ANSELL: Object to form.

A. I don't know.

Q. You don't know whether they're real fruit?

A. I don't know whether they're real fruit.

Q. Then how are you alleging that it's "deceptive advertising" when they claim it's real fruit when you don't know whether fruit puree or fruit juice concentrate are real fruit?

A. They claim it's real fruit.

Q. And you don't know whether that claim is true or not?

A. I am relying on my counsel.

Q. But you're the -- how did you first come to meet with your counsel, how did you come

Page 48

LAUREN HALL

to learn of them?

Did you buy this product -- your Complaint alleges and your interrogatory responses allege that you purchased the product every week for seven years.

After seven years -- when did you last buy the product? Let's start with that.

A. Probably two years ago.

Q. So two years ago you had an epiphany and decided to file a lawsuit?

A. Can I take a break?

Q. No. There is a question pending. You can't take a break as long as a question is pending.

A. Let's see. The last time I purchased the fruit snacks was one to two years ago. I was in touch with counsel through a mutual friend who knows someone who works at the firm and we connected that way.

Q. Who is your "mutual friend?"

A. Melanie Nobel.

Q. "Melanie" who?

A. Melanie Nobel.

Q. How do you spell that name?

Page 49

LAUREN HALL

A. N-o-b-e-l.

MR. ANSELL: The witness wants a break. There is no question pending so...

MR. SILVERMAN: Okay.

THE VIDEOGRAPHER: The time is 10:15 a.m. We're off the record.
(Recess taken 10:15 to 10:23 a.m.)

THE VIDEOGRAPHER: The time is 10:23 a.m. We're on the record.

Q. Okay. Ms. Hall, you took a break, but you understand you're still testifying under penalty of perjury?

A. Yeah.

Q. Before the break, you said you spoke with counsel "through a mutual friend," Melanie -- Nobel?

A. Nobel.

Q. Nobel.

When you say, "a mutual friend," Ms. Nobel was your friend, correct?

A. Yes.

Q. And which lawyer was she a friend with?

A. I'm not sure.

1 LAUREN HALL

2 Q. Just some lawyer at the Ansell Grimm
3 law firm?

4 A. Yes.

5 Q. Was it Mr. Ansell, who is sitting
6 here today?

7 A. I don't know.

8 Q. And tell me about -- when did you
9 have a conversation with Ms. Nobel?

10 A. Prior to speaking to Michael, the
11 conversation wasn't anything about the case. She
12 made a comment that I had purchased the Welch's
13 and that they were filled with sugar and made a
14 comment to me about it.

15 Q. When did you have that discussion
16 with her?

17 A. Maybe a year or two ago.

18 Q. And where were you, were you at a
19 party, were you at her house, were you at your
20 house?

21 A. I don't recall.

22 Q. Well, how did the subject of Welch's
23 Fruit Snacks come up with Ms. Nobel?

24 A. Maybe she was at my house. She was
25 at my house. She knew I purchased them.

1 LAUREN HALL

2 Q. Were you eating them in front of her,
3 were your kids eating them in front of her?

4 A. I don't recall.

5 Q. Well, you were just having a
6 conversation and she said, oh, by the way, I know
7 you buy Welch's Fruit Snacks, I know those have a
8 lot of sugar? I mean, how did the conversation
9 take place?

10 MR. ANSELL: Objection, asked and
11 answered.

12 You can answer.

13 A. I don't recall. It was a year or two
14 ago. I had a conversation with her. I don't
15 recall how it started.

16 Q. What else did she say other than that
17 the fruit snacks have -- Welch's Fruit Snacks
18 have sugar?

19 A. I don't recall. I don't know.

20 Q. That's all she recall telling you?
21 That's all you recall her telling you?

22 A. Yeah, I guess.

23 Q. Okay. So how do you go, by the way,
24 fruit snacks have sugar, to I'm going to sue the
25 The Promotion in Motion and Welch's? What's the

1 LAUREN HALL

2 leap to that, what caused you to file a lawsuit?

3 MR. ANSELL: Object to form.

4 You can answer, if you understand.

5 A. I don't recall. I don't recall.

6 Q. Well, did she say, hey, I know a
7 lawyer, you might want to talk to him to sue the
8 company?

9 A. No, she didn't. She may have said
10 there is a class action and -- I don't -- I don't
11 know. I don't recall.

12 Q. She may have said there was an
13 existing class action?

14 A. I don't know. She had mentioned
15 something about me purchasing it and said you
16 should speak with Michael and I spoke with
17 Michael about it.

18 Q. So the "mutual friend" was Michael
19 Ansell?

20 A. I don't know if that was her "mutual
21 friend." She knows someone in this company. I
22 don't know if they're friends. I don't know who
23 it is.

24 Q. But you just said that Ms. Nobel told
25 you to speak with Michael Ansell?

1 LAUREN HALL

2 A. Or the firm, I'm sorry, the firm.

3 Q. So she said that fruit snacks have
4 sugar, you should speak with a lawyer?

5 MR. ANSELL: I'm going to object,
6 asked and answered.

7 But...

8 A. She said you should speak with
9 someone here, there is a class action and she put
10 me in touch with Michael. I don't recall how it
11 happened. I don't know if it was through him or
12 a "mutual friend" here at the firm.

13 Q. But --

14 A. But that's how I learned about this
15 and Michael and I spoke about it.

16 Q. But what do you mean she said, "there
17 is a class action?"

18 MR. ANSELL: Objection.

19 A. I don't know if she said that. I
20 don't recall.

21 Q. And when did you have that
22 conversation with Ms. Nobel? You said one to
23 two years ago, to the best you can recall?

24 A. Yes, to the best I can recall.

25 Q. Well, using the date of the

1 LAUREN HALL

2 Complaint, the original Complaint of April 5th,
3 2017 as a marker, approximately, how long before
4 that date did you speak with Ms. Nobel about this
5 issue?

6 A. Maybe a few months --

7 Q. And did you have more than --

8 A. -- to the best of my knowledge.

9 Yeah, to the best of my knowledge.

10 Q. Was it in 2016 or 2017?

11 A. I don't recall.

12 Q. So you don't recall what Ms. Nobel
13 told you?

14 MR. ANSELL: Objection,
15 mischaracterization of testimony.

16 Q. Other than that she said it has
17 sugar, you don't remember anything else she told
18 you?

19 MR. ANSELL: Objection, again,
20 mischaracterizes her testimony.

21 Q. You can answer. I'm trying to
22 understand what she told you.

23 MR. ANSELL: Objection, asked and
24 answered.

25 Q. She told you they had sugar. What

1 LAUREN HALL

2 else did she tell you?

3 A. I don't recall.

4 Q. And how many conversations did you
5 have with Ms. Nobel about Welch's Fruit Snacks?

6 A. That was it.

7 Q. Have you spoken with her since the
8 lawsuit was filed?

9 A. I have not.

10 Q. To your knowledge, does she know that
11 you filed this lawsuit?

12 A. She does not.

13 Q. How often do you speak with Ms.
14 Nobel?

15 A. Often.

16 Q. Is she your best friend?

17 A. No.

18 Q. How often do you speak with her?

19 A. Maybe once a week.

20 Q. So, over the last year or so, you've
21 spoken with her about once a week?

22 A. Yes.

23 Q. And on none of those occasions --

24 A. No.

25 Q. -- have you ever mentioned the fact

1 LAUREN HALL

2 that you filed this lawsuit?

3 A. No.

4 Q. Why not?

5 A. Because it's none of her business.

6 Q. "None of her business" yet she's the
7 one that told you you should speak with a lawyer?

8 MR. ANSELL: Objection,
9 argumentative.

10 Q. Right?

11 MR. ANSELL: Objection. Is there a
12 question there?

13 MR. SILVERMAN: Yeah, there was a
14 question there.

15 Repeat -- read back the question.

16 (Whereupon, the question is read back as
17 follows:

18 "Question: 'None of her business' yet
19 she's the one that told you you should speak with
20 a lawyer?")

21 Q. Question mark.

22 A. She never said I should speak with a
23 lawyer.

24 Q. She said what?

25 MR. ANSELL: Objection.

1 LAUREN HALL

2 A. I don't recall. But she never said,
3 you should go to a lawyer.

4 Q. Did she provide you a name of a
5 lawyer at the Ansell Grimm law firm to speak
6 with?

7 A. I don't recall.

8 Q. Well, how did you get the name of the
9 Ansell Grimm law firm?

10 A. I don't recall. I, honestly, do not
11 recall how that connection was made.

12 Q. Do you recall whether you just called
13 the general number and spoke with somebody at the
14 front desk and said, I need a lawyer about a
15 product I bought?

16 MR. ANSELL: Objection.

17 A. No.

18 Q. Did you call and ask for specific
19 person at this law firm?

20 MR. ANSELL: Objection, asked and
21 answered.

22 A. I don't recall.

23 Q. So you didn't just generally call up
24 and ask the receptionist, can you give me a
25 lawyer about a possible lawsuit I have, but you

Page 58

LAUREN HALL

don't recall asking for a particular lawyer either?

A. I, honestly, I don't recall.

Q. And you don't know who the "mutual friend" was, who the lawyer was that knew her?

A. I do not know who the "mutual friend" was at this firm between her and I have not spoken with her since about this.

Q. Is there anybody else you've spoken with about Welch's Fruit Snacks other than your counsel and Ms. Nobel?

A. Just my husband.

Q. What's your husband's name?

A. John Hall.

Q. Is he aware of the lawsuit?

A. As of last week, yes.

Q. That was the first time he learned of the lawsuit?

A. Yes.

Q. Did he ever purchase Welch's Fruit Snacks?

A. No.

Q. To your knowledge, or you're certain he never did?

Page 59

LAUREN HALL

A. I'm certain he never did.

Q. How do you know?

A. Cause he doesn't food shop.

Q. Tell me about the discussion you had with him last week when he learned of the lawsuit.

MR. ANSELL: Objection, to the extent that it involves spousal privilege following litigation.

MR. SILVERMAN: It's not privileged. Judge Scanlon's already ruled on this issue.

MR. ANSELL: I think that was on pre-litigation discussions.

MR. SILVERMAN: No, it wasn't on pre-litigation discussions. I can -- I don't have the transcript with me. But I can assure you that this issue came up when you guys tried to block the deposition of Ms. Addox's (phonetic) ex-husband and that deposition was permitted.

MR. ANSELL: [RESERVATION] Well, we will reserve the objection and raise it with the Court. And we'll allow the witness --

MR. SILVERMAN: If you're going to instruct the witness not to answer, cause I'll

Page 60

LAUREN HALL

bring her back in then.

MR. ANSELL: I just said, we'll reserve the objection and we can move to strike it later.

MR. SILVERMAN: Okay.

Q. Tell me about the conversation you had with your husband.

A. Honestly, it was just pretty much that I was coming here to do a deposition next week.

Q. Anything else?

A. He asked about like what he -- he pretty much said, what is going on?

And I told him that I was part of a class action and I was coming to a deposition.

Q. Did you tell him you're the Plaintiff in this class action?

A. I don't think I did.

Q. Did you ever have any discussions with him about Welch's Fruit Snacks, other than last week telling him you were going to have your deposition taken?

A. Not that I recall.

Q. What is your age?

Page 61

LAUREN HALL

A. Thirty-five.

Q. And your date of birth?

A. 7/22/82.

Q. And your address?

A. 2424 Homestead Avenue, Spring Lake Heights, New Jersey.

Q. "Spring" what?

A. Spring Lake Heights.

Q. And describe your educational background for me please starting with anything post-high school, if any.

A. Post-high school Monmouth University.

Q. What's that?

A. Monmouth University.

Q. When did you graduate?

A. 2005.

Q. Who was your major?

A. Finance and accounting.

Q. Do you have any advance degrees?

A. No.

Q. No?

A. (No response.)

Q. And can you tell me your employment history after college.

1 LAUREN HALL

2 A. Merrill Lynch.

3 Q. What did you do for Merrill Lynch?

4 A. What do I do or what --

5 Q. What did you do. Is that your work
6 now?

7 A. That's where I work now.

8 Q. How long have you worked there?

9 A. Since 2005.

10 Q. What did you do when you joined them
11 in 2005?

12 A. I was an executive assistant.

13 Q. What did those job duties entail?

14 A. Scheduling, calendars, meetings,
15 running an office for a market executive.

16 Q. What do you mean "a market
17 executive?"

18 A. Like a director, someone -- a
19 manager.

20 Q. And did your job title change in the
21 last 12, 13 years?

22 A. Yes.

23 Q. What was your next job title?

24 A. Let's see. I was a business manager
25 assistant for a short period of time.

1 LAUREN HALL

2 Q. How long were you the executive
3 assistant from 2005 to when, approximately?

4 A. 2007.

5 Q. Okay. And then you were a business
6 manager after that -- business manager assistant
7 after that?

8 A. Yep.

9 Q. Until when?

10 A. 2007, 2009.

11 Q. And what did those job duties entail?

12 A. Pretty much the same just in a
13 different management role; expense, budgeting,
14 support for a business manager at Merrill Lynch.

15 Q. And what was your title after 2009?

16 A. Then I went to become a compliance
17 manager.

18 Q. Till when?

19 A. 2009 until 2012.

20 Q. What were your duties as a compliance
21 manager?

22 A. Let's see, account reviews, FA
23 supervision, trading, just review of client
24 accounts.

25 Q. And how about after 2012?

1 LAUREN HALL

2 A. Client associate on a financial
3 advising team.

4 Q. What does that mean, what did you do
5 as a client associate?

6 A. I service clients for a team, like
7 our book of clients. I trade securities. I move
8 money.

9 Q. Did you get your Series 7?

10 A. Yes.

11 Q. When did you get that?

12 A. 2007.

13 Q. Did you trade securities prior to
14 2012?

15 A. No.

16 Q. Starting in 2012, you traded
17 securities?

18 A. Sure, yes.

19 Q. And is that your title today or have
20 you --

21 A. That's my title today.

22 Q. And are you married?

23 A. Yes.

24 Q. And you said your husband's name was
25 John?

1 LAUREN HALL

2 A. Yes.

3 Q. What is his date of birth?

4 A. June 17th, 1977.

5 Q. And what's his educational
6 background, if you know?

7 A. He graduated with a degree in, I
8 think, biology from URI.

9 Q. From where?

10 A. URI, University of Rhode Island.

11 Q. Any advance degrees to your
12 knowledge?

13 A. Yes. He has a Master's in business.

14 Q. An MBA?

15 A. Yes.

16 Q. Where did he get that from?

17 A. Rider University.

18 Q. Where?

19 A. Rider University.

20 Q. When did he get his MBA?

21 A. 2011.

22 Q. What does your husband do for work
23 now?

24 A. He is a director of clinical
25 operations.

Page 66

LAUREN HALL

Q. What does that mean?

A. He does -- he does data research for small biotech, drug development.

Q. How long has he done that?

A. Let's see. Probably since 2010 or '11.

Q. Do you know what he did before that?

A. He was -- same field. He worked for CRO, which was the actual company that compiles the data.

Q. And do you have any kids?

A. Yes.

Q. How many?

A. Four.

Q. What are their ages?

A. Ten, eight, five and two.

Q. Boys, girls?

A. Two boys, two girls.

Q. What's the...

A. Ten, eight boys; five, two girls.

Q. Have you ever been a party to a lawsuit before?

A. No.

Q. Have you ever been arrested?

Page 67

LAUREN HALL

A. No.

Q. Convicted?

A. No.

Q. Ever filed bankruptcy?

A. Nope.

Q. When did you first buy Welch's Fruit Snacks?

A. Let's see. My oldest is ten; probably eight or nine years ago.

Q. So, approximately, 2009 or '10?

A. About, yes.

Q. Had you -- how had you heard of Welch's Fruit Snacks before you first purchased?

A. Just in the aisle.

Q. Had you ever tried it before you purchased it?

A. No.

Q. Did anybody ever tell you about it?

A. No.

Q. And prior to purchasing the fruit snacks, have you ever heard of The Promotion in Motion Companies before?

A. No.

Q. When did you first hear of them?

Page 68

LAUREN HALL

A. I believe just the start of this case. I, actually, never heard of them before this.

Q. You know that on the label it says the product is manufactured and distributed by The Promotion in Motion Companies?

A. I did not know that.

Q. You're not aware of?

A. (No response.)

Q. You never saw that?

A. No.

Q. Had you heard of Welch's before buying the product?

A. Yes.

Q. And in what context had you heard of Welch's?

A. Just name recognition through the store.

Q. Had you purchased other Welch's products before you purchased the fruit snacks?

A. I -- possibly; possibly jellies. I don't recall. I don't buy them regularly.

Q. Prior to purchasing Welch's Fruit Snacks, had you ever purchased any other fruit

Page 69

LAUREN HALL

snack products?

A. No.

Q. Had you ever purchased any fruit flavored snacks before buying Welch's Fruit Snacks?

A. No.

Q. And since the time you began purchasing Welch's Fruit Snacks in about 2009 or 2010, did you also purchase other fruit snacks products or fruit flavored snack products?

A. No.

Q. Why not?

A. I try to minimize processed foods for my children. It's not perfect, but I don't tend to buy candy and sugary foods for my kids.

Q. But why Welch's Fruit Snacks versus any others? You know there's others on the market, right?

A. Absolutely.

Q. So why Welch's Fruit Snacks versus any other?

A. If you're standing in an aisle looking at fruit snacks and there is a big label that says, "made with real fruit," vitamins, "no

1 LAUREN HALL

2 preservatives," it grabs your attention.

3 Q. I'm going to show you a product.
4 It's by Mott's.

5 Have you ever seen that before?

6 MR. ANSELL: I'm going to object as
7 this has not been previously produced nor is
8 there any --

9 MR. SILVERMAN: I'm entitled to ask
10 her about products, even if it's not been
11 previously produced.

12 MR. ANSELL: Well, it's -- you're
13 showing her something that would be equivalent to
14 a document and you've never previous -- this
15 hasn't been produced to us.

16 MR. SILVERMAN: You didn't ask me to
17 produce the Mott's fruit snacks before, okay.
18 I'm showing her a document or I'm showing her a
19 box of Mott's that says, "made with real fruit &
20 veggie juice. No colors from artificial sources.
21 No artificial flavors. No gelatin or gluten.
22 100 percent DV Vitamin C. Fruit flavored snacks.
23 Assorted fruit. Naturally flavored."

24 Any reason why you didn't buy Mott's?

25 MR. ANSELL: Objection. Assumes that

1 LAUREN HALL

2 she saw Mott's or that Mott's was located in the
3 Acme in which she shopped. So it assumes facts
4 not in evidence.

5 Q. Did you ever see Mott's in the Acme
6 at which you shopped?

7 A. I have.

8 Q. Why didn't you buy Mott's?

9 A. Welch's is a more known brand. It
10 jumped out a little bit more and it could have
11 been price too.

12 Q. "It could have been," but you don't
13 know?

14 A. I don't recall.

15 Q. You didn't price shop, did you?

16 A. I don't recall.

17 Q. You didn't compare prices of Welch's
18 Fruit Snacks versus Mott's or any other fruit
19 snack product, did you?

20 A. I may have at certain times.

21 Q. Do you know how much -- whether the
22 Welch's Fruit Snacks cost more or less than --

23 A. I don't.

24 Q. -- any other fruit snack product?

25 A. I don't.

1 LAUREN HALL

2 Q. Is price important to you?

3 A. It depends.

4 Q. I may show that to you again later
5 along with many others.

6 What do you mean by, "it depends," in
7 terms of whether price is important?

8 A. Just if anything seems out of
9 control, I'm, obviously, not going to buy it. If
10 things are within a certain range, then I usually
11 look for the quality of the product.

12 Q. When you were shopping for -- when
13 you were on the -- the first time you were on the
14 aisle where they sell the fruit snacks, you said
15 the Welch's Fruit Snacks "jumped" out to you
16 amongst all the -- there was a whole many shelves
17 of fruit snacks, right?

18 A. Right.

19 Q. Many different brands, right?

20 A. (No response.)

21 Q. Correct?

22 A. Correct.

23 Q. And you were shopping for you, your
24 husband, your son, who were you shopping for?

25 A. My children.

1 LAUREN HALL

2 Q. At the time you had one child?

3 A. Yes.

4 Q. You said it was eight or nine years
5 ago.

6 You have a ten-year old and eight-year
7 old. So I'm assuming the first purchase was for
8 your child who at the time was give or take was
9 one year old?

10 A. Two.

11 Q. Two?

12 A. Yeah.

13 Q. And your other son hadn't been born
14 yet?

15 A. If so, wasn't eating fruit snacks.

16 Q. So you were buying them for you, your
17 husband and --

18 A. My husband and I don't eat fruit
19 snacks.

20 Q. So the only person you purchased them
21 for was your two-year old?

22 A. Two-year old.

23 Q. You and your husband have never eaten
24 them?

25 A. I tried them, but we don't eat fruit

1 LAUREN HALL

2 snacks.

3 Q. When you say you tried them, you mean
4 the first time you purchased them you tried them
5 or...

6 A. I don't recall. I didn't try them
7 prior to making the purchase. I mean, I've had a
8 fruit snack before.

9 Q. In your Complaint and in your
10 interrogatory responses, you said you purchased
11 them for your family.

12 Is that not -- as in your husband and
13 yourself and your kids; is that not correct --

14 MR. ANSELL: Objection. It makes an
15 assumption regarding the definition of "family."

16 Q. Did you buy them for your kids only
17 or for you and/or your husband as well?

18 MR. ANSELL: Objection, asked and
19 answered.

20 You can answer.

21 A. I bought them for my children.

22 Q. So not for your husband or yourself,
23 right?

24 MR. ANSELL: Objection, asked and
25 answered.

1 LAUREN HALL

2 A. No.

3 Q. Is your husband a member of your
4 family?

5 A. Yes.

6 Q. Take a look at your first Amended
7 Complaint, Exhibit 3.

8 A. (The witness complies.)

9 Q. You got it?

10 A. Yes.

11 Q. Paragraph 14.

12 A. (The witness complies.)

13 Q. It says, "Plaintiff Lauren Hall is a
14 citizen of New Jersey. She resides in Monmouth
15 County, New Jersey and bought Defendant's
16 products in Monmouth County over the course of,
17 approximately, seven years. During the class
18 period Plaintiff Hall purchased Defendant's fruit
19 snacks for herself and her family."

20 Did you buy them for yourself and your
21 family or just for your kids?

22 A. I bought them for myself and my
23 family.

24 Q. So, for yourself, your husband --

25 A. I mean, if I had --

1 LAUREN HALL

2 (There is a discussion off the record.)

3 Q. So you bought them for yourself, your
4 husband and your kids, not just your kids?

5 MR. ANSELL: Objection, asked and
6 answered.

7 A. Everyone in my house has consumed a
8 fruit snack. Do I buy them for me and my husband
9 specifically, no. Do I buy them for my family,
10 yes.

11 Q. Okay. So --

12 A. Have we consumed them, yes. Do we
13 eat them regularly, no; my family, my kids, yes,
14 or did.

15 Q. And your kids ate them every day or
16 how often?

17 A. Few times a week, lunches.

18 Q. You mean school "lunches?"

19 A. Yes.

20 Q. Was your son with you, your now
21 ten-year-old, was he with you when you made your
22 first purchase or were you by yourself?

23 A. My "first purchase?"

24 Q. Yes.

25 A. I don't recall.

1 LAUREN HALL

2 Q. Well --

3 A. Any purchase?

4 Q. -- your first purchase?

5 A. Sure, he's been there.

6 Q. I'm talking about the first time that
7 Welch's Fruit Snacks --

8 A. I don't --

9 Q. -- you saw them on the shelf and you
10 decided to purchase them.

11 Were you alone or with your son?

12 A. I don't recall.

13 Q. Do you know whether you were with
14 your husband?

15 A. No, I was not with my husband.

16 Q. But you don't recall whether it was
17 by yourself or with your son?

18 A. Well, sometimes I bring my kids food
19 shopping. I never bring my husband food
20 shopping.

21 Q. I'm talking about the first time --

22 A. I don't recall.

23 Q. -- if you brought your son or not?

24 A. Correct.

25 Q. And you saw -- how many shelves were

1 LAUREN HALL

2 there of the fruit snacks you recall in the Acme
3 that you purchased product?

4 MR. ANSELL: Objection. Are we still
5 talking about the first time or anytime?

6 MR. SILVERMAN: I'm talking about the
7 first time. I don't think it's changed.

8 Q. But if you recall the first time.

9 A. Estimated five shelves.

10 Q. And, approximately, how many brands?

11 A. Approximately, 12.

12 Q. And some of those brands -- some of
13 the products included like cartoon characters?

14 A. Correct.

15 Q. Some of them had like Sponge Bob on
16 them, had Cars, had various cartoons, right?

17 A. Yes.

18 Q. Those were -- is it your
19 understanding that those were geared towards
20 children?

21 A. Yes.

22 Q. And so why didn't you buy any of
23 those?

24 A. Usually, when someone uses cartoon
25 characters and things that appeal to children,

1 LAUREN HALL

2 usually, it doesn't appeal to me as an adult. I
3 look for better alternatives, healthier options,
4 nothing on the Scooby-Doo said "real fruit."

5 Q. So you, actually, looked at the
6 Scooby-Doo and saw whether it had "real fruit" or
7 not?

8 A. I just scanned the boxes.

9 Q. Mott's said it had real fruit and
10 vegetables, too right?

11 A. I don't recall.

12 Q. Well, let's see if we can refresh
13 your recollection. "Made with real fruit and
14 veggie juice."

15 MR. ANSELL: Objection. It assumes
16 facts in evidence. Do you know that this exact
17 product and labeling was on the shelf in the Acme
18 at the time she first purchased Welch's?

19 A. Even if it was, boxes change. I
20 mean, I don't know if that's what it looked like
21 eight years ago.

22 Q. Okay. Why don't you describe the
23 Welch's Fruit Snacks Box eight years ago? What
24 did it say?

25 A. "Welch's Fruit Snacks." Whatever it

1 LAUREN HALL

2 said eight years ago grabbed my attention that
3 that was the brand that I primarily bought for
4 years.

5 Q. Okay. But I'm asking you what it
6 said eight years ago.

7 A. No preservatives, vitamins, made with
8 real fruit, could have been the placement of it,
9 capital letters, where it was. I don't know if
10 Mott's was there. You know, whatever grabbed
11 my attention in terms of verbiage, I purchased
12 them for years.

13 Q. But you don't know what it was that
14 grabbed your attention the first time?

15 A. I'm a conscious buyer. It was most
16 likely something that made the purchase seem to
17 be a better alternative to any other brand on the
18 shelf.

19 Q. Do you have any proof that you ever
20 purchased the product?

21 A. Do I have proof that I purchased it?

22 Q. Yeah, uh-huh.

23 A. Not offhand. But it used to be A&P.
24 If you went through my customer number, you would
25 see that I purchased it.

1 LAUREN HALL

2 Q. And do you have any of the boxes from
3 when you purchased it?

4 A. Boxes?

5 Q. You said you bought it -- I think in
6 your interrogatories responses you said you
7 bought a 10 and 40 pack at different times.

8 A. Do I have them now?

9 Q. Yeah.

10 A. No.

11 Q. So you don't have the box when you
12 purchased it initially, right?

13 A. No.

14 Q. Nor do you have the box that you
15 purchased the last time, right?

16 A. No.

17 Q. Anytime in between neither, right?

18 A. No.

19 Q. Had you ever purchased another fruit
20 snack or fruit flavored snack product other than
21 Welch's Fruit Snacks?

22 A. Possibly, if they didn't have them,
23 sure. I don't recall exactly when.

24 Q. Do recall what brand or brands they
25 were?

1 LAUREN HALL

2 A. If I did, it was Annie's Organic.
3 But other than that, I didn't stray much.
4 Usually, if they didn't have them, I didn't
5 purchase them.

6 Q. And how often did you buy Annie's
7 Organics?

8 A. Very limited, maybe a dozen or less.

9 Q. And why did you buy Annie's over
10 anything else?

11 A. The box said organic. It's a trusted
12 brand, to my knowledge. I don't buy a lot of it.
13 But, you know, in terms of better options, I
14 thought maybe they had better options than a
15 General Mills or any other, you know, company
16 that made fruit snacks.

17 Q. And do you recall the price of the
18 Annie's Organics versus the Welch's Fruit Snacks,
19 how they compare?

20 A. I don't recall. I know they're more
21 expensive.

22 Q. Like more than double, right?

23 A. I don't recall.

24 Q. It cost a lot more, Annie's cost a
25 lot more than Welch's, right?

1 LAUREN HALL

2 A. I don't recall.

3 Q. Do you remember what size box of
4 Annie's you purchased? They have a 5 and 12
5 pack. Do you recall what size it was?

6 A. Probably a five.

7 Q. Take a look at the Annie's five pack
8 and tell me if that refreshes your recollection
9 that that's what you purchased?

10 A. Sure. Maybe not that brand but -- I
11 mean, that flavor but the brand, yes.

12 Q. And does Annie's product have "real
13 fruit?"

14 A. I don't know.

15 Q. Well, what attracted you -- of all
16 the other products other than Welch's Fruit
17 Snacks, what attracted you to Annie's other than
18 it said it's "organic?"

19 MR. ANSELL: Objection, asked and
20 answered.

21 A. The name and "no artificial flavors,"
22 "organic."

23 Q. Why don't you take a look at the
24 nutrition facts, the side panel. The nutrition
25 facts and the, specifically, the ingredients.

1 LAUREN HALL

2 You see the ingredients on there? Read the
3 ingredients on the Annie's product.

4 A. "Tapioca syrup, cane sugar, pear
5 juice concentrate, vegetable juices from
6 concentrate, Tapioca syrup solids" -- do you need
7 me to keep going?

8 Q. No, that's fine.

9 So the first two ingredients are "Tapioca
10 syrup" and "cane sugar?"

11 A. Uh-huh.

12 Q. Correct?

13 A. Yep.

14 Q. Not fruit juice concentrate, not
15 fruit puree, right?

16 A. No.

17 Q. Why didn't you sue Annie's?

18 A. I, actually, don't purchase Annie's
19 often and I don't think Annie's was out when I
20 began purchasing Welch's. So Welch's was the
21 brand I stuck with.

22 Q. But you bought Annie's about a dozen
23 times, right?

24 A. Sure.

25 Q. Is their advertising "deceptive," is

1 LAUREN HALL

2 the label "deceptive?"

3 MR. ANSELL: Object to the extent
4 that it calls for a legal conclusion.

5 But you can answer, if you know.

6 A. I'm sure, yeah.

7 Q. Is the Mott's label "deceptive?"
8 Take a look at that.

9 MR. ANSELL: Objection.

10 Q. Take a look at the ingredients on the
11 Mott's product and tell me if there's anything
12 about that label that's "deceptive."

13 MR. ANSELL: Calls for a legal
14 conclusion.

15 And, also, as a point of reference, are we
16 marking these?

17 MR. SILVERMAN: I don't know how we
18 can mark them. Can we mark them?

19 (There is a discussion off the record.)

20 MR. SILVERMAN: Okay. Let's mark
21 them then. We'll mark Mott's as Exhibit -- what
22 are we on? 14. And we'll mark Annie's as 15
23 (Deposition Exhibit Hall 14, color scan of
24 Mott's Fruit Flavored Snacks Assorted Fruit box
25 and nutritional label (physical exhibit retained

LAUREN HALL

by Silverman), was marked for identification.)
(Deposition Exhibit Hall 15, color scan of
Annie's Organic Bernie's Farm Fruit Snacks box
and nutritional label(physical exhibit retained
by Silverman), was marked for identification.)

Q. Take a look at the Mott's label and
the ingredients.

What are the ingredients in the Mott's
product?

A. "Corn syrup, sugar, modified corn
starch, pear juice."

Q. So is that label "deceptive" to you?

A. But I didn't purchase Mott's.

Q. I'm not asking whether you purchased
it.

Is it "deceptive?"

MR. ANSELL: Objection, calls for a
legal conclusion.

But you can answer, if you understand.

A. Yes.

Q. And why is that one "deceptive?"

A. Let's see. No -- "made with real
fruit and veggie juice," "no colors from
artificial sources," flavors.

LAUREN HALL

Q. Okay. So the Mott's and the Annie's
are "deceptive" and you've purchased the Annie's
about a dozen times, right?

A. Yes, or less than.

Q. Why didn't you sue them?

A. When I first started buying fruit
snacks, I don't think Annie's was out that -- you
know, if they didn't have it, I purchased it a
handful of times. I spent seven or eight years
purchasing those weekly on the fact that I
thought they were a better alternative.

Q. And what is your basis, if any, for
saying that it's not a better alternative to
other fruit snack or fruit flavored snack
products?

A. Well, the first ingredient is listed
as "real fruit" on the --

Q. Right. Unlike these that say corn
syrup and sugar, they list either fruit juice
concentrate when you started purchasing it back
in 2009 or so and then subsequently fruit puree
as a first ingredient.

A. Well, again, I don't know if these
were out when I first started purchasing. So, in

LAUREN HALL

2009, I don't know if they were there or what
they said.

And the first ingredient on a Welch's is
fruit concentrate or puree. These are, at least,
not listed as the first ingredient.

Q. Did you ever look at the ingredient
list before purchasing Welch's Fruit Snacks?

A. On those? Sure.

Q. You did?

A. Yeah, I look at ingredients. I don't
do it on every label and every time I shop but...

Q. Okay. Well, I'm going to show you
the -- we'll mark as Exhibit 16, Welch's Fruit
Snacks ten pack.

(Deposition Exhibit Hall 16, color scan of
Welch's Mixed Fruit Fruit Snacks box and
nutritional label (physical exhibit retained by
Silverman), was marked for identification.)

Q. That's the current product.

A. Uh-huh.

Q. And it says -- the current product
says, "fruit puree" as the first ingredient,
right?

A. Uh-huh.

LAUREN HALL

Q. Yes?

A. Yes.

Q. There's -- do you have any reason to
believe there's not "fruit puree" in that
product?

A. I relied on my counsel.

Q. Okay. I'm asking you.

Do you have any basis to say that there is
not "fruit puree" in that product?

A. No.

Q. Then what is "deceptive" or
misleading about that label that says -- it says
it has "fruit puree?"

A. Real fruit, fruit puree is it the
same thing? I really -- I relied on my counsel.

Q. But you said you looked at the
ingredient list.

Did you look at it --

A. I have --

Q. -- before you made your first
purchase?

A. No.

Q. Have you ever looked at it?

A. Yeah.

Page 90

LAUREN HALL

Q. When did you first look at it on the Welch's Fruit Snacks product?

A. I don't recall.

Q. Before or after this lawsuit was filed?

A. I don't recall. I look at labels. I look at labels for my children. I don't recall if I looked at this eight years ago or a year ago.

Q. Or seven, six, five, four, ever? Did you ever look at the ingredient list?

A. Sure.

Q. Okay.

A. I don't recall when the first time I looked at the label was.

Q. Okay. So you looked -- at some point, you looked at the ingredient list and saw the ingredient list said -- do you recall whether at the time you first looked at it, it said made with fruit juice concentrate or fruit puree because the formula changed over time?

A. I don't recall.

Q. Either way the first time you saw it the first ingredient was either fruit puree or

Page 91

LAUREN HALL

fruit juice concentrate, right?

A. Sure.

Q. Okay.

A. I don't recall.

Q. So you saw the front that said, "made with real fruit." You saw the ingredient list that said either "fruit juice concentrate" or "fruit puree."

At that time, did you believe that that was -- that there was an inconsistency, that "fruit puree" or "fruit juice concentrate" are not real fruit?

A. I don't recall.

Q. What do you mean you "don't recall?"

A. I mean, I don't remember the first time I read the label of this box.

Q. So what is "deceptive" about the Welch's Fruit Snacks label? I've now put it in front of you. Tell me what's "deceptive" about that label.

A. "No preservatives."

Q. Okay. What's false about that statement or what's misleading about that statement?

Page 92

LAUREN HALL

A. "Artificial flavors," "ascorbic acid," "dyes," "Red 40," "Blue 1," I mean...

Q. You're saying all of those are preservatives?

A. They're not natural items.

Q. Doesn't it say mix -- "Welch's family farmer owned mix fruit natural and artificial flavors." It says that right on the front, doesn't it?

A. Right.

Q. Okay. So is there anything misleading about that?

A. No.

Q. Okay. So what -- you just read off a bunch of ingredients. Which one of those are preservatives, not the red dye, is it?

A. I relied on my counsel.

Q. So you don't know if any of the ingredients are actually preservatives?

A. I relied on my counsel.

Q. I'm asking you. It's your deposition. You're the Plaintiff who sued my clients.

A. No.

Page 93

LAUREN HALL

Q. You don't know whether any of the ingredients are preservatives?

A. No.

Q. Okay. And you don't know whether "fruit puree" or "fruit juice concentrate" is real fruit, do you?

A. No.

Q. Have you ever heard somebody named Dr. Ronald Pegg?

A. No.

Q. Are you aware that Dr. Pegg is a food chemist who was an expert witness in this case? Does that name ring a bell to you at all?

A. No.

Q. And you're not aware that Dr. Pegg is a food chemist professor at the University of Georgia in food chemistry has opined that fruit juice and fruit juice concentrate are real fruit, you're not aware of that, are you?

MR. ANSELL: Objection.

You can answer.

A. No.

Q. Other than your counsel, have you ever spoken with anybody who has told you that

Page 94

LAUREN HALL

fruit juice concentrate and fruit puree are not real fruit?

A. No.

Q. Okay. So we've now talked about the real fruit and the preservative issue.

What else about Welch's Fruit Snacks label in your opinion is "deceptive?"

A. The name.

Q. What do you mean?

A. Well, Welch's is a well-known name, large and clear. I don't -- I mean, you said The Promotion in Motion is on here. It's a brand name that grabs the attention of a household, a parent, a mother, someone...

Q. The product is identical whether it's called Welch's Fruit Snacks or Bob Jones's fruit snacks. It's the exact same product, right?

MR. ANSELL: Objection, argumentative.

Q. Right?

A. Sure. Yes.

Q. You said you read the labels and you read the labels including the ingredient list.

Did you ever in your seven years of

Page 95

LAUREN HALL

purchasing on a weekly basis see where it says on the -- right under the ingredients where it says, "Manufactured and distributed by The Promotion in Motion Inc.?"

A. No.

Q. And you bought it seven years, approximately, once a week, right?

A. About, yeah.

Q. So about 350 times you purchased the product give or take, right?

A. Yes.

Q. And not once in the 350 purchases that you made did you ever notice that the product right under the ingredients said it was "manufactured and distributed by The Promotion in Motion Inc.?"

A. Nope.

Q. And you don't recall whether before you made your first of 350 purchases you read the ingredient list, right?

A. Correct.

Q. Sometime, though, over the course of seven years you read the ingredient list?

A. Yes.

Page 96

LAUREN HALL

Q. And based upon your review of the ingredient list, did you feel there was anything "deceptive" about the label?

A. After I read the ingredient list?

Q. Yes.

A. Yes.

Q. What?

MR. ANSELL: Objection, asked and answered.

A. (No response.)

Q. What was "deceptive" after you saw the ingredient list?

A. Again, the -- I mean, I thought I answered this; "real fruit" and "no preservatives," hundred percent of vitamins.

Q. Hundred percent Vitamin C, 25 percent Vitamins A and E of the daily value, right?

A. Right.

Q. What's "deceptive" about that?

A. Is it coming from real fruit? Is it added? Is it -- I mean, you look at this and you think it's a better alternative for your children and --

Q. Do you know whether it's coming from

Page 97

LAUREN HALL

the fruit or it's added or both?

A. I don't.

Q. So if you don't know where it's coming from, what's deceptive about it?

A. Exactly. I'm giving it to my children. I don't know where it's coming from.

Q. Okay. But at what point did you look at the label and the ingredients, cause you said you looked at the ingredient list some point over the seven years you purchased it.

Was it when you looked at the ingredients and compared it to the label that you found it "deceptive" or what caused you to find it "deceptive" the first time?

A. I don't recall. I don't recall.

Q. But you continued to purchase it after you saw -- after you --

A. I didn't purchase a fruit snack in -- (There is a discussion off the record.)

Q. You continued to purchase it after you looked at the ingredient list and concluded in your opinion that it was "deceptive?"

A. I don't recall.

I didn't stop when I looked at the

1 LAUREN HALL

2 ingredient list. I mean, I don't recall my last
3 purchase versus, you know, dissecting the
4 ingredient list.

5 Q. Did you look at the ingredient list
6 -- over the seven years of purchase, was it
7 toward the beginning of the seven years that you
8 look at the ingredient list?

9 A. I don't know.

10 MR. ANSELL: Objection, asked and
11 answered.

12 A. I don't recall.

13 Q. Okay. And did you have any opinions
14 or views after you looked at the ingredient list
15 that were different than looking at -- than
16 before you looked at the ingredient list?

17 A. I don't -- yes. I don't recall.

18 Q. What?

19 A. I mean, the other -- I mean, I --
20 over the years too, I have adjusted what we feed
21 our children and what we bring into our home as
22 well. So I don't know if I looked at the list
23 and decided that this was all awful, maybe it was
24 self-education too over years.

25 Q. Okay. So you looked at the

1 LAUREN HALL

2 ingredient list and you decided it was "awful?"

3 A. No.

4 Q. Okay.

5 A. But my standards to what foods I
6 would bring in my house were a lot different
7 eight years ago than they are today. I mean,
8 I've educated myself a little bit about food
9 intake. So you're asking me when I put this
10 altogether and I don't recall.

11 Q. But you did continue to purchase the
12 product after you saw the ingredient list, right?

13 A. Sure, yes.

14 Q. Okay. And the first time you bought
15 the product eight or nine years ago, what was the
16 main reason you bought it?

17 A. For my kids.

18 Q. Yeah, I understand it was for your
19 kid.

20 But what was the main reason you purchased
21 it, because you thought they would like the taste
22 or --

23 A. For a snack, for a snack option.

24 Q. As an alternative to candy or what do
25 you mean as "a snack option?"

1 LAUREN HALL

2 A. For a snack. I mean, to pack in
3 lunches, for a snack.

4 Q. And when you first gave it to your
5 son eight or nine years ago, did he tell you he
6 liked them?

7 A. I don't recall exactly what he said.
8 But he definitely liked them. My children liked
9 them. That's why I continued to buy them. If he
10 said he didn't like them, I wouldn't buy them.

11 Q. Have you ever had any discussions
12 with any of your four kids about whether they
13 liked the fruit snacks, the Welch's Fruit Snacks?

14 A. Not -- I mean, yeah. They liked the
15 fruit snacks.

16 Q. What do they tell you they like about
17 them?

18 A. They taste good.

19 Q. And you said you tried them as well,
20 right?

21 A. Yes.

22 Q. And do you think they taste good?

23 A. They taste like candy. I'm not much
24 of a sweet tooth. I mean, if you're asking me
25 for my opinion, no, I wouldn't open up a bag of

1 LAUREN HALL

2 fruit snacks and eat them as a snack.

3 Q. They taste like candy to you, but
4 knowing they taste like candy, you bought them
5 for your kids?

6 A. Just cause they're sweet doesn't mean
7 that I'm going to not give -- I mean, sure, my
8 kids are going to like them. They're sweet.

9 Q. Is that why you bought them for your
10 kids?

11 A. Not because they're sweet. I bought
12 them as a snack.

13 Q. Well, there are other snacks you
14 could have purchased, right?

15 A. Yes.

16 Q. Cookies, candy, crackers?

17 A. Sure.

18 Q. Gold fish?

19 A. Yep, I could have bought those.

20 Q. Did you buy those, any of those?

21 A. I do buy some things. We don't buy
22 cookies and candy. I give my kids pretzel,
23 fruit.

24 Q. And you know that Welch's Fruit
25 Snacks are not the same as a whole fruit, right,

Page 102

1 LAUREN HALL

2 you weren't expecting you were giving your kid --

3 A. Correct.

4 Q. -- the benefits of whatever they
5 were --

6 A. Right.

7 Q. -- for the whole fruit, right?

8 A. Yes.

9 MR. ANSELL: Is it an okay time for a
10 break?

11 MR. SILVERMAN: Okay.

12 MR. ANSELL: Can we go off the
13 record.14 THE VIDEOGRAPHER: Yes, one moment.
15 The time is 11:22 a.m. We're off the
16 record.

17 (Recess taken 11:22 to 11:30 a.m.)

18 THE VIDEOGRAPHER: The time is
19 11:30 a.m. We're on the record.20 Q. Okay. Before the break, I was asking
21 you about the main reason you first purchased
22 Welch's Fruit Snacks.23 You said you had purchased them for the
24 kids as "a snack option" because "they taste
25 good?"

Page 103

1 LAUREN HALL

2 MR. ANSELL: I'm going to object to
3 the mischaracterization of testimony.

4 But you can answer.

5 A. I bought them as "a snack option"
6 because I thought they would like them.7 Q. Any other reasons you bought them for
8 your kids the first time?

9 A. No.

10 Q. And your subsequent 350 or so
11 purchases, any other -- what was the main reason
12 you purchased them the other 350 times?

13 A. Same reason, snack options.

14 Q. "Snack options" and you thought your
15 kids "would like them?"

16 A. Yes.

17 Q. And you thought your kids would like
18 them because of taste or what?

19 A. Yes, cause of the taste.

20 Q. And so we've got marked as Exhibit 16
21 a Welch's Fruit Snacks ten pack.22 Did you buy both 10 and 40 packs of
23 Welch's Fruit Snacks?

24 A. Yes.

25 Q. And the one that's marked Exhibit 16

Page 104

1 LAUREN HALL

2 is the "Mixed Fruit" variety.

3 Did you purchase -- was that one of the
4 ones you purchased?

5 A. Yes.

6 Q. Were there others that you purchased?

7 A. I don't recall.

8 Q. Well, do you know whether you
9 purchased any others, or you purchased only Mixed
10 Fruit?11 A. I think there may have been a berry
12 one, but primarily the Mixed Fruit is what my
13 store carried.

14 Q. What do you mean "a berry one?"

15 A. The berry that was like, you know,
16 raspberries, blackberries, strawberries. It was
17 not the tropical fruit. I think there was a red
18 box. It wasn't primarily carried in my store.19 Q. Do you know whether it was berries
20 and cherries or --

21 A. I'm not sure.

22 Q. Anything else other than -- so,
23 predominantly, you bought the Mixed Fruit, the
24 Exhibit 16?

25 A. Yes.

Page 105

1 LAUREN HALL

2 Q. And did you mostly buy the 10 pack,
3 40 pack or was it about half and half?4 A. Mostly, 10 pack, occasionally 40.
5 The store didn't always have 40.6 Q. So the majority of the time you
7 purchased the ten pack of the Mixed Fruit Welch's
8 Fruit Snacks?

9 A. Correct.

10 Q. And of the 350 or so give or take
11 purchases that you made, how many of them,
12 roughly, were something other than the Mixed
13 Fruit variety?

14 A. Estimate less than six.

15 Q. So, virtually, every time you
16 purchased it, it was the Mixed Fruit?

17 A. Yes.

18 Q. All but six times or less than six
19 times?

20 A. About, yeah.

21 Q. And the other less than six times,
22 you believe it was some kind of a berries
23 product?

24 A. Yes.

25 Q. And you have no recollection sitting

1 LAUREN HALL

2 here today of any other purchases of Welch's
3 Fruit Snacks you made other than the Mixed Fruit,
4 which you did 98 percent of the time give or
5 take, and a berries that you purchased less than
6 6 times?

7 A. Correct.

8 Q. In the Welch's Fruit Snacks, when you
9 looked at the ingredient list, did you look at
10 the sugar content?

11 A. Yes.

12 Q. And was that an issue at all for you,
13 any concern at all?

14 A. Yes. I mean, sugar is an issue for
15 me when I purchase stuff for my kids.

16 Q. But the sugars are listed on the
17 ingredient list, right, it told you what the
18 sugar content was, right?

19 A. Are you asking about the sugar amount
20 or the sugar ingredient?

21 Q. The sugar amount. I think it said
22 11 grams of sugar per serving.

23 A. Yes.

24 Q. Did you see that when you first
25 purchased it?

1 LAUREN HALL

2 A. Not when I first purchased it.
3 Eventually, when I read the label at some point,
4 yes, I did see it.

5 Q. And did it concern you at all, that
6 it was 11 grams of sugar, was that considered
7 high or low or --

8 A. For me, that's considered high.

9 Q. But you continued to purchase it
10 after seeing that, right?

11 A. Right.

12 Q. Were you aware that Welch's Fruit
13 Snacks had a reduced sugar Mixed Fruit variety as
14 well?

15 A. I did not.

16 Q. This is the first you're hearing of
17 it that they have a --

18 A. Yeah.

19 Q. -- Mixed Fruit?

20 A. Yes.

21 Q. Reduced sugar?

22 A. Yes.

23 Q. It's about 25 percent less sugar?

24 MR. ANSELL: Objection, assumes facts
25 not in evidence.

1 LAUREN HALL

2 Q. You're not aware of that?

3 A. No.

4 Q. So, if the sugars -- you saw the
5 ingredient list. You saw the nutrition fact
6 panel, which says 11 grams of sugars.

7 When you saw that, did it cause you any
8 concerns about buying the product anymore?

9 A. At the time, no. But I tried to
10 minimize the amounts that my children in take.
11 So it would -- instead of giving it to them all
12 the time, I may cut back or limit their intake to
13 it.

14 Q. Take a look at the Annie's. That
15 also says 11 grams of sugar, right?

16 A. Yep.

17 Q. So despite seeing that it had -- it
18 says right on the nutrition fact panel, 11 grams
19 of sugar, you continued to buy the product for
20 several years after that, right?

21 A. Yes.

22 Q. Was it your belief at the time you
23 looked at the ingredient list and saw either that
24 it said "fruit juice concentrate" as a first
25 ingredient or subsequently "fruit puree," did you

1 LAUREN HALL

2 decide at that time, hey, that's not real fruit?

3 A. No.

4 Q. So your saw the front of the box that
5 said, "made with real fruit." You saw the
6 ingredient list that said "fruit juice
7 concentrate" or "fruit puree" as the first
8 ingredient.

9 Did you come to any opinion at that time
10 that there's something "deceptive" or misleading
11 or false about the real fruit statement on the
12 front?

13 A. Not that I recall.

14 Q. But the conversation you had with
15 your friend Melanie Nobel was that she said the
16 product has sugar, right?

17 A. Something along those lines.

18 Q. Was there anything else she said to
19 you about the product other than that it has
20 sugar, like, hey, that's not real fruit or, hey,
21 it has preservatives or anything else?

22 MR. ANSELL: Objection --

23 A. No.

24 MR. ANSELL: Asked and answered.

25 A. No.

1 LAUREN HALL

2 Q. All she said to you that you recall
3 is that it had sugar?

4 A. Yes.

5 Q. And you knew that because you had
6 looked at the ingredient list and the nutrition
7 fact panel for many years before stopping your
8 purchase of the product, right?

9 MR. ANSELL: Objection --

10 A. Yes.

11 MR. ANSELL: -- mischaracterizes
12 testimony.

13 A. Yes.

14 Q. And how long after you spoke -- let
15 me back up. Let me strike that.

16 Did you continue to purchase Welch's
17 Fruit Snacks after you had your conversation with
18 Ms. Nobel?

19 A. No.

20 Q. That day you went cold turkey and
21 said, I'm not buying any Welch's Fruit Snacks
22 anymore?

23 A. I did not buy them.

24 Q. All because she said the product had
25 sugar, which is something you already knew?

1 LAUREN HALL

2 A. I don't recall if that was the exact
3 reason why. But, I mean, I try to bring healthy
4 foods into my house and give my kids good
5 alternatives and maybe it was a -- I don't know.
6 I don't recall.

7 Q. Did you ever buy the fruit in yogurt,
8 Welch's fruit and yogurt snacks?

9 A. No.

10 Q. Did you ever buy fruit rolls?

11 A. No.

12 Q. Do you recall -- do you know -- did
13 you see any advertisements for Welch's Fruit
14 Snacks, other than the product in the store
15 itself?

16 A. I don't recall.

17 Q. Any print ads?

18 A. I don't recall. I don't think so.

19 Q. Did you see any television ads?

20 A. No.

21 Q. Radio ads?

22 A. No.

23 Q. Ever looked on the Internet about
24 bit?

25 A. No.

1 LAUREN HALL

2 Q. Newspaper?

3 A. No.

4 Q. So sitting here today, to the best of
5 your recollection, the only advertising -- and I
6 use air quotes -- about Welch's Fruit Snacks was
7 the actual product on the store shelf and the
8 label on the product?

9 A. Yes.

10 Q. Did that label change at all in the
11 seven years that you purchased the product?

12 A. I don't recall.

13 Q. Do you know whether the ingredients
14 ever changed?

15 A. I don't recall.

16 Q. Well, you said you had looked at the
17 ingredient list.

18 Did you ever notice whether the
19 ingredients changed?

20 A. But I told you I didn't look at the
21 ingredient list the first time I bought them.

22 Q. Right. But --

23 A. So I don't recall if it's changed
24 from the time I did buy -- I did look at them.

25 Q. Well, I will show you some labels.

1 LAUREN HALL

2 MR. SILVERMAN: Mark as Exhibit 17.
3 (Deposition Exhibit Hall 17, color scan of
4 Welch's 2004 label, was marked for
5 identification.)

6 Q. Take a look at Exhibit 17. I'm
7 showing you a label for Welch's Fruit Snacks.

8 A. (The witness complies.)

9 Q. Tell me if you recognize it.

10 A. I don't.

11 Q. Do you recall whether this was a
12 label that you -- on the product when you first
13 purchased it?

14 A. I don't.

15 Q. Take a look at the ingredients on the
16 product. In this label, it says it's copyrighted
17 2004 and I'll represent to you that this was the
18 label used -- I believe, this was the label that
19 existed when you first purchased the product in
20 about 2008 or 9.

21 MR. ANSELL: Objection, to the extent
22 that it assumes facts not in evidence.

23 MR. SILVERMAN: Okay. Well, I'm
24 making a representation and we'll provide that
25 proof at the appropriate time.

1 LAUREN HALL

2 Q. But for purposes of deposition, I'm
3 representing to you that, I believe, this was a
4 label that was -- the labeling and the packaging
5 and the ingredient list at the time you first
6 purchased it.

7 You don't recall that, right?

8 A. I don't recall.

9 Q. Okay. So what about this label --
10 assuming this was the label that existed the
11 first time you purchased the product, what about
12 this label stood out to you that caused you to
13 purchase Welch's Fruit Snacks versus any other
14 fruit snack or any other product?

15 A. Probably the same things that caught
16 me eye on the current, "made with real fruit,"
17 "vitamins," "no preservatives," you know,
18 Welch's, it's a good brand.

19 Q. Anything else?

20 A. No.

21 Q. And where did you purchase it the
22 first time?

23 A. I don't recall.

24 Q. I believe you said all your purchases
25 were at an Acme store; is that correct?

1 LAUREN HALL

2 A. It was A&P -- yeah, A&P is -- it's
3 Acme now. It was A&P and that's where I food
4 shop.

5 Q. The same location?

6 A. Yep.

7 Q. I forget the -- 2017 NJ 35 or
8 something like that? I'm doing it from memory,
9 the address. You don't know?

10 A. Oh, yeah, Highway 35 in Wall Township
11 New Jersey.

12 Q. So, to the best of your recollection,
13 that's where you purchased Welch's Fruit Snacks
14 every time?

15 A. Yes.

16 Q. And what do you recall about the
17 aisle on which the Welch's Fruit Snacks were
18 sold, what other products were sold on that
19 aisle?

20 A. Granola bars, oatmeal, cereal,
21 coffee.

22 Q. Anything else?

23 A. No.

24 Q. That was your -- that's your
25 recollection of the products that were sold in

1 LAUREN HALL

2 that aisle the entire time you purchased it up
3 through when you stopped purchasing at about a
4 year or two ago?

5 A. I don't know if that's "the entire
6 time." I mean, the store changed. The aisle
7 could have changed.

8 Q. Okay.

9 A. Eight years -- eight years ago, it's
10 primarily in the cereal aisle. But, I mean, I
11 don't know what the aisle looked like eight years
12 ago.

13 Q. What did the aisle look like when you
14 last purchased the product about a year or two
15 ago?

16 A. Cereal, oatmeal, coffee, granola
17 bars.

18 Q. And that was A&P at the time -- I'm
19 sorry. That was Acme at the time?

20 A. I'm not sure. I don't recall when it
21 changed over. I'm not sure.

22 Q. Do you recall that the Welch's Fruit
23 Snacks -- what was in closest proximity to the
24 Welch's Fruit Snacks, what other types of
25 products, other than fruit snacks?

1 LAUREN HALL

2 A. Granola bars.

3 Q. And what else?

4 A. Cereal.

5 Q. What else, Pop Tart?

6 A. Maybe near granola bars. I don't
7 recall seeing Pop Tarts.

8 Q. You don't recall that Pop Tarts were
9 right next to the Welch's Fruit Snacks?

10 A. I don't know.

11 MR. ANSELL: Objection, assumes facts
12 not in evidence.

13 Q. What's that? You can answer.

14 A. I don't shop for Pop Tarts, so I
15 don't typically look for them.

16 Q. Okay. But if you've got -- I'm
17 showing you a store shelf. And if the Welch's
18 Fruit Snacks are here or all the fruit snacks are
19 here and right next to it are a whole string of
20 Pop Tarts, you wouldn't have noticed that?

21 A. I may have noticed it, but I don't --
22 I mean, it doesn't sit in my memory. I don't
23 shop for Pop Tarts.

24 Q. Do you also recall in that aisle, a
25 different section in that aisle, there were

1 LAUREN HALL

2 products like Craisins and raisins and dried
3 dates and dried apricots and things like that?

4 A. I mean --

5 MR. ANSELL: Objection, assumes facts
6 not in evidence.

7 If you remember.

8 A. There may have been. Currently, in
9 that store, they're not in the same aisle.

10 Q. What do you mean? Do you still shop
11 there?

12 A. Yes.

13 Q. And "they're not in the same aisle"
14 as what?

15 A. Fruit snacks.

16 Q. The Craisins and raisins and dried
17 dates and dried apricots are not in the same
18 aisle as Welch's Fruit Snacks?

19 A. No.

20 Q. They were last night because I was at
21 that store.

22 A. Okay. I thought they were in the
23 baking aisle.

24 Q. Okay.

25 MR. ANSELL: You've cracked it open.

1 LAUREN HALL

2 MR. SILVERMAN: I'm cracking
3 everything open. This is rather disturbing but
4 thank you.

5 Q. Okay. So assuming I'm correct then,
6 that the Craisins and raisins and dates and
7 apricots and other dried fruits are in the same
8 aisle as the Welch's Fruit Snacks, different part
9 of the aisle, why didn't you choose those
10 products instead for your kids?

11 A. I don't know.

12 Q. Can you describe the store to me that
13 you purchased the Welch's Fruit Snacks like where
14 are the -- when you walk in the door, where are
15 the fruits and vegetables, the fresh fruits and
16 vegetables?

17 A. Straight ahead.

18 Q. Okay. And in relation to that, where
19 are the Welch's Fruit Snacks aisle?

20 A. In relation to produce?

21 Q. Yeah.

22 A. Maybe about four or five aisles on
23 your left.

24 Q. So using the Mott's box as the store.
25 You walk in the store and you're saying on the

1 LAUREN HALL

2 right side is where you find fresh fruits and
3 vegetables?

4 A. Correct.

5 Q. And then about four or five aisles to
6 the left of that is where you find the aisle
7 containing the Welch's Fruit Snacks?

8 A. Yes.

9 Q. Do you primarily shop the perimeter
10 of the store or do you primarily shop the middle
11 of the store? When I say, "perimeter," I'm
12 talking about fruits and vegetables, dairy,
13 cheese, meats versus the middle aisles are
14 typically more the sodas, snacks, chips, candy
15 other things like that.

16 A. I primarily stay in the outside, not
17 all the time. I shop on the inside.

18 Q. And where is candy sold at the store,
19 what aisle is that on?

20 A. That is definitely more towards the
21 left of the store passed the cereal aisle. But I
22 am typically down that aisle if I need a baking
23 need or something.

24 Q. And about how much money did you pay
25 for the ten pack of the Welch's Fruit Snacks?

1 LAUREN HALL

2 A. I think the 10 packs were usually in
3 the \$3 range, 3 to \$4.

4 Q. And the 40 pack?

5 A. The 40 packs, I think, were usually
6 around 7.99 or 8.99. Sometimes, they could have
7 been a little more depending on sales or
8 promotions but in that range.

9 Q. Sometimes more and sometimes less?

10 A. Yeah, in a range depending on store
11 promotions and stuff. But they're usually closer
12 to \$10 for the larger packs.

13 Q. You just said 7.99 to 8.99 is what
14 they typically were.

15 A. That's what, I think, is standard,
16 yeah. I mean, I don't know. It was more
17 expensive, but I didn't buy it often. I didn't
18 buy the 40 pack often. I mostly bought the ten
19 packs.

20 Q. Well, if I'm doing the math, the 40
21 packs seems to be a more economical one. If it's
22 8 or \$9 for 40 packs, which is 4 times 3 to \$4,
23 you'd expect the 40 pack to cost somewhere
24 between 1 and \$16.

25 A. Yes.

Page 122

LAUREN HALL

Q. But it's 8 to 9.

So, if price is an issue, why didn't you buy the 40 pack?

A. Price isn't always a issue. But I, typically, don't buy in bulk because of room and I, also, don't buy 40 fruit snacks because my kids will eat 40 fruit snacks.

Q. But you're buying, typically, a ten pack every week, at least, a ten pack every week?

A. I used to -- yeah, I mean, it was a lot less later on when we were buying. Maybe I bought them every two or three weeks. But when my kids were really young and we first started buying them, I was buying them every week.

Q. Were you, typically, buying one pack or more than one pack?

A. Typically, buying one pack, if there is any promotions. Sometimes I'd buy two or three.

Q. So -- and then your kids would go through -- or the time -- your first -- that was one child at the time and then two years later it was another child.

But when you first started buying them,

Page 123

LAUREN HALL

you bought for one child, you didn't eat them, your husband didn't eat them and your son would go through ten in a week?

A. Probably not. When all three -- well, my youngest isn't in school. But when all three were getting packed up and lunches were packed up, that's when I was typically buy one a week.

Q. And they were eating them about every day?

A. No, couple days.

Q. What other snacks did you or do you put in your kids -- or I'll say did you since...

At the time you were putting Welch's Fruit Snacks in your kid's lunch, what else were you putting in there as a snack, if anything?

A. Pretzels. My kids eat -- I mean, it changes all the time. One week they like something, the next they don't. Sometimes I make cookies and I put a cookie or two in their lunchbox. They get a fruit with every snack or a lunch, a sandwich and water.

Q. So Welch's Fruit Snacks, pretzels and/or cookies, sometimes a fruit, an actual

Page 124

LAUREN HALL

piece of fruit?

A. Every time my child gets a fruit.

Q. They were getting Welch's Fruit Snack and a fruit?

A. Every day my children get a fruit with a lunch and snack. That is a standard.

Q. So the Welch's Fruit Snacks for your kids lunch wasn't a substitute for an actual piece of fruit, it was actually a snack, correct?

A. Correct.

Q. So they'd get pretzels or cookies?

A. Uh-huh.

Q. Yes?

A. Sometimes, yeah. I mean, I've made thousands of lunches but, yeah.

Q. Okay. Always a fruit?

A. Yes.

Q. And several days a week they got Welch's Fruit Snacks as well?

A. Yes.

Q. Along with a sandwich and water?

A. Uh-huh.

Q. By the way, had you ever heard of Winnie Lau?

Page 125

LAUREN HALL

A. Who?

Q. Winnie Lau, L-a-u?

A. No.

Q. Have you ever heard of Elisa -- Eliza Addox (phonetic)?

A. No.

Q. Are you aware that they had -- had you ever heard that they had filed a lawsuit against Welch's Fruit Snacks?

A. No.

Q. I'm sorry, against Welch's and Promotion in Motion about Welch's Fruit Snacks?

A. No.

Q. Not aware of that?

A. No.

Q. So you're not aware that they subsequently dismissed their lawsuit against Welch's Fruit Snacks?

A. No.

Q. Or about Welch's Fruit Snacks?

A. No.

Q. Was taste or flavor of the fruit snacks a reason you purchased Welch's Fruit Snacks?

1 LAUREN HALL

2 A. For myself or my kids?

3 Q. For either.

4 A. Sure.

5 Q. For you or your kids or both?

6 A. Not for me; for my kids.

7 Q. And that includes the first time?

8 A. Yes.

9 Q. And all subsequent times?

10 A. Yes.

11 Q. Did you try the Welch's Fruit Snacks
12 before you gave them to your kids or your son?

13 A. No.

14 Q. So the first person in the family
15 that had them was your son?

16 A. Yes.

17 Q. And he was about two.

18 Was he in preschool or was he at home at
19 the time?

20 A. With a sitter, baby-sitter.

21 Q. So did you tell the baby-sitter to
22 give him the Welch's Fruit Snacks several days a
23 week?

24 A. I didn't say give them. I packed his
25 lunch and she gave them what was in his lunch.

1 LAUREN HALL

2 or not?

3 A. I don't know that was the box I first
4 purchased.

5 Q. Okay. But at some point you did look
6 at the nutrition fact panel and the ingredients
7 while you were purchasing the product and saw
8 that it had 11 grams of sugar per serving, right?

9 A. Not the first time I purchased the
10 product.

11 Q. So sometime during the time you
12 purchased it?

13 A. Yes.

14 Q. And you continued to purchase it
15 after you were aware of that, right?

16 A. Yes. I think I...

17 Q. When you read the ingredient list and
18 you continued to purchase it after you read the
19 ingredient list, you saw on the ingredient list
20 that the Welch's Fruit Snacks contained -- also
21 said it contained corn syrup and sugar, right?

22 A. Yes.

23 Q. So you're aware of the fact that the
24 product contained corn syrup and sugar and you
25 continued to purchase it after that, right?

1 LAUREN HALL

2 Q. So he went to the sitter's house?

3 A. Yes.

4 Q. So you packed his lunch at that time?

5 A. Yes.

6 Q. Now, you see the front label on the
7 Welch's Fruit Snacks, looking at Exhibit 16,
8 right under the, "made with real fruit," it
9 specifically says -- it's not just on the
10 ingredient list. I showed you earlier.

11 Right on the front it says 11 grams of
12 sugar, right?

13 A. On the front?

14 Q. Yeah, right there.

15 MR. ANSELL: Oh.

16 Q. Per serving.

17 A. Yes, I see that.

18 Q. It says, the calorie count 80
19 calorie, 0 grams of saturated fat, 10 milligrams
20 sodium, 11 grams of sugars.

21 So you saw that the first time you
22 purchased the product, didn't you?

23 A. I didn't notice it.

24 MR. ANSELL: Objection.

25 Q. You don't know whether it was there

1 LAUREN HALL

2 A. Yes.

3 Q. So I've asked you about the reasons
4 you first purchased the product. You've told me
5 about snack for your kids, taste, you bought it
6 for taste and flavor.

7 Those are two of the reasons you
8 purchased it, right, the first time?

9 A. Yeah.

10 Q. And subsequently?

11 A. Yeah.

12 Q. Was the price or the value of the
13 product a reason that you purchased it?

14 A. No.

15 Q. How about the brand name?

16 A. Yes.

17 Q. How about shelf life was that a
18 reason for your purchase?

19 A. No.

20 Q. The first time or any other time
21 after that?

22 A. No.

23 Q. How about the serving size?

24 A. No.

25 Q. How about the number of pouches per

1 LAUREN HALL

2 box, was that a reason?

3 A. No.

4 Q. Who about the product availability at
5 your local store, is that a reason?

6 A. Yes.

7 Q. That was a reason your first time and
8 subsequent times?

9 A. Well, yeah, because it was there.

10 Q. Was the fact that the product does
11 not need refrigeration a reason you bought
12 Welch's Fruit Snacks?

13 A. No.

14 Q. Was the calories per serving a
15 reason?

16 A. No.

17 Q. Was the fact that the product is
18 gluten-free a reason?

19 A. No.

20 Q. How about whether the fact that it
21 was dairy-free?

22 A. No.

23 Q. How about the fact that it was
24 caffeine-free?

25 A. No.

1 LAUREN HALL

2 Q. How about the fact that it's
3 fat-free?

4 A. No.

5 Q. Tell me any other reasons that you
6 purchased the product other than what you've told
7 me was that you bought it as a snack for your
8 kids and you bought it for taste and flavor, any
9 other reasons?

10 A. No.

11 Q. No other reasons?

12 A. No.

13 Q. How do you believe Welch's Fruit
14 Snacks compares with other snacks in terms of
15 whether it's better for you, about the same or
16 not as good for you than other snacks?

17 A. Currently?

18 Q. Yeah.

19 A. I don't buy fruit snacks anymore. I
20 don't give them to my kids.

21 Q. You give them cookies, though, right?

22 A. Sure, cookies that I make.

23 Q. Chocolate chip, what kind of cookies?

24 A. Sure, chocolate chip.

25 Q. Chocolate chip cookies are better for

1 LAUREN HALL

2 your kids than Welch's Fruit Snacks?

3 A. If I make -- I didn't say they're
4 "better." But I try not to give my kids a lot of
5 processed foods. So everything in moderation and
6 if I make homemade cookies, I treat my kids to
7 homemade cookies.

8 Q. So why not Welch's Fruit Snacks in
9 moderation?

10 A. Towards the end of my purchases, I
11 did and then with the, you know, the --
12 outweighing the sugar and the ingredients in it,
13 I just chose not to give them to my kids because
14 in a cookie I can -- in a cookie I make, I know
15 everything that's goes into it. I don't know --

16 Q. Sugar, right?

17 A. -- what goes into this.

18 Q. A lot of sugar goes into chocolate
19 chip cookies, right?

20 A. Sure.

21 Q. More sugar than Welch's Fruit Snacks,
22 right?

23 A. It depends.

24 MR. ANSELL: Objection.

25 Q. More fat --

1 LAUREN HALL

2 (There is a discussion off the record.)

3 Q. Chocolate chip cookies have more fat,
4 more sugar and more calories than Welch's Fruit
5 Snacks, correct?

6 MR. ANSELL: Object to form and
7 assumes facts not in evidence.

8 Q. Correct?

9 A. Everything in moderation for my
10 children and I try not to give them processed
11 foods. I try to stay away from processed foods
12 and I do it to the best of my ability. My kids
13 don't eat cookies every day. It's a treat for
14 them.

15 Q. Okay. But I asked you -- I
16 understand you don't give it to them every day.

17 But it's a true statement that chocolate
18 chip cookies, even though the homemade ones you
19 make, have more fat, more calories and more sugar
20 than Welch's Fruit Snacks?

21 MR. ANSELL: Objection, that assumes
22 facts not in evidence. Do you know the content
23 of her cookies and --

24 A. Or my recipe.

25 MR. ANSELL: -- have you done a test

1 LAUREN HALL
 2 of the calorie count and fat makeup?
 3 MR. SILVERMAN: I have never seen a
 4 chocolate chip cookie in all my years that has
 5 lower fat, lower calories and lower sugar content
 6 that Welch's Fruit Snacks.
 7 MR. ANSELL: I have.
 8 MR. SILVERMAN: But if she's got one
 9 -- really?
 10 MR. ANSELL: Yeah.
 11 MR. SILVERMAN: Great. Must taste
 12 awesome.
 13 MR. ANSELL: Doesn't necessarily
 14 taste awesome. But, I mean, you're saying you've
 15 never seen one.
 16 Q. Welch's Fruit Snacks have zero fat.
 17 Do your chocolate chip cookies have zero
 18 fat?
 19 A. Fat isn't really -- fat isn't
 20 something that I look at for my diet for me and
 21 my children as a concern. And I eat it and give
 22 it to my children in moderation.
 23 Q. How often? What's "moderation?" How
 24 often do you give them chocolate chip cookies?
 25 A. I don't know; once every two weeks

1 LAUREN HALL
 2 MR. ANSELL: Try to keep the argument
 3 to a minimum, counsel.
 4 MR. SILVERMAN: I will try.
 5 Q. Do you ever buy candy?
 6 A. No.
 7 Q. Do your kids go to birthday parties?
 8 A. They do.
 9 Q. And do they serve candy, do they give
 10 candy at birthday parties?
 11 A. Sometimes.
 12 Q. Do they ever have, to your knowledge,
 13 ever have Welch's Fruit Snacks or any other fruit
 14 snacks products?
 15 A. At parties?
 16 Q. Yes.
 17 A. Not that I'm aware of.
 18 Q. Do they have cookies at parties?
 19 A. Yes.
 20 Q. Cake at parties?
 21 A. Yes.
 22 Q. You're okay with your kids having
 23 cake and cookies?
 24 A. I'm not okay with it. I try to limit
 25 it. And when they come home with goodie bags, I

1 LAUREN HALL
 2 maybe.
 3 Q. And how many do you pack in their
 4 lunch when you give them cookies?
 5 A. One or two.
 6 Q. Is it, typically, chocolate chip or
 7 is it other types too?
 8 A. No, typically, chocolate chip.
 9 Q. And they're all homemade by you?
 10 A. Most of the time. I don't buy
 11 packaged cookies.
 12 Q. And your homemade chocolate chip
 13 cookies have no processed ingredients in them?
 14 A. No.
 15 Q. What are the ingredients?
 16 A. Jesus; flour, sugar chocolate chips,
 17 butter, eggs.
 18 Q. Anything else?
 19 A. Vanilla.
 20 Q. Anything else?
 21 A. Not that I can recall.
 22 Q. It seems like the standard recipe
 23 that I'm familiar with. I just thought maybe
 24 yours was unusual, you're low fat, low calorie,
 25 low sugar cookies but, okay.

1 LAUREN HALL
 2 try to throw them away.
 3 Q. Do your kids trick or treat?
 4 A. They do.
 5 Q. Do they get to keep --
 6 A. No.
 7 Q. They don't get to keep any of the
 8 candy?
 9 A. They do. Everything in moderation,
 10 but they do not keep everything they have.
 11 Q. Do you have any basis -- well, do you
 12 believe that fruit puree is not the -- or in the
 13 current formulation, that fruit puree is not the
 14 first ingredient in the Welch's Fruit Snacks?
 15 A. Could you repeat that?
 16 Q. The current label of Welch's Fruit
 17 Snacks says on the box, "fruit is our first
 18 ingredient." And in the ingredient list, it
 19 says, "fruit puree." It lists "fruit puree" as
 20 the first ingredient.
 21 Do you have any reason to believe that
 22 that's not a true statement, that fruit is not
 23 more predominant than the other ingredients?
 24 MR. ANSELL: Objection. You asked
 25 whether "fruit puree" was the first ingredient.

1 LAUREN HALL

2 MR. SILVERMAN: Right.

3 MR. ANSELL: Now you just mentioned
4 whether fruit --

5 MR. SILVERMAN: Fruit puree.

6 Q. Do you have any reason to believe
7 that "fruit puree" is not more -- "fruit puree"
8 in the product than any other ingredient?

9 A. Do I have any -- I'm sorry. Can you
10 repeat the question one more time?

11 Q. Okay. You did purchase a Welch's
12 Fruit Snacks product, Exhibit 16, you have
13 purchased that product before, correct?

14 A. Yes.

15 Q. With that exact label, correct?

16 A. Yes.

17 Q. And you looked at that ingredient
18 list before purchasing it --

19 A. Yes.

20 Q. -- at some point, right?

21 A. Uh-huh.

22 Q. Yes?

23 A. Yes.

24 Q. And the first ingredient under the
25 ingredient list says, "fruit puree."

1 LAUREN HALL

2 Do you have any -- and is it your
3 understanding that the regulations require that
4 you list the ingredients in the order of
5 predominance?

6 A. Yes.

7 Q. Okay. And how did you learn that,
8 outside of -- did you learn it outside of
9 counsel?

10 A. No, that I know.

11 Q. How did you learn that?

12 A. Through knowledge of what I eat. I
13 don't know where I learned that from.

14 Q. Do you have any reason to believe
15 that "fruit puree" is not the most prevalent
16 ingredient in Welch's Fruit Snacks?

17 A. Yes.

18 Q. You have reason to believe that that
19 is not the case?

20 A. Just through my counsel.

21 Q. That "fruit puree" -- that there's
22 more of some other ingredient in this product
23 than "fruit puree?"

24 A. In combination?

25 Q. Yes.

1 LAUREN HALL

2 A. Yes.

3 Q. "Yes," what? It's "in combination."

4 A. Yes, it shouldn't be the first
5 ingredient.

6 Q. Why should it not be the first
7 ingredient?

8 A. Because it's a combination of
9 multiple different fruit purees.

10 Q. Okay. But if there are -- I'm just
11 going to use round numbers.

12 If there are five fruit purees in the
13 product, apple, pear, grape, whatever, five
14 constituent -- this one has -- this one says,
15 grape, peach, orange strawberry and raspberry.
16 So there's five --

17 A. Uh-huh.

18 Q. -- right?

19 And just using round numbers, if there's
20 10 percent of each of those, so the total fruit
21 puree is 50 percent, and then let's just say the
22 next ingredient is corn syrup and just for round
23 numbers let's just say that's 30 percent -- I'm
24 just making up numbers -- you would agree with me
25 that 50 percent is more than 30 percent, right?

1 LAUREN HALL

2 A. I would. But then you should combine
3 your corn syrup, sugar and any other sugar listed
4 as well.

5 Q. Are you an expert -- are you an FDA
6 regulatory expert?

7 A. Nope.

8 Q. Okay. Corn syrup and sugar are the
9 same ingredient to you?

10 A. Well, neither is grape puree and
11 strawberry puree.

12 Q. They're fruit.

13 Does it make any difference to you whether
14 there's five ingredients, five purees -- do you
15 understand that the way -- I mean, it's a
16 rhetorical question.

17 But do you understand that the way puree
18 comes it comes in one finished form as a puree,
19 it doesn't come as here's the grape, here's the
20 strawberry, here's the peach, it comes as a
21 blend, as a puree, all blended together?

22 A. Okay.

23 Q. And that's, again, using making up
24 numbers, I'm saying 50 percent.

25 MR. ANSELL: I'm going to object,

1 LAUREN HALL

2 facts not in evidence. In fact, you've refused
3 to provide that information to us, as to what's
4 within a fruit puree. So you can't --

5 MR. SILVERMAN: No, we have not.

6 MR. ANSELL: You can't testify as to
7 what the ingredients is when you've refused to
8 provide it to us.

9 MR. SILVERMAN: We've told you it
10 comes as a puree as a finished product and we do
11 not know whether that -- again, making up numbers
12 -- whether that's 50 percent is a 5 ingredients
13 is 10, 10, 10, 10, 10 or is it 20, 10, 5, 5,
14 whatever the math adds up. We don't know that.
15 But we do know that it's 50. That's what we've
16 said.

17 Q. And so I'm asking you, assuming it's
18 50 and let's just use round numbers that it's 5
19 ingredients, 5 fruit purees times 10, does it
20 make any difference to you whether it's still
21 50 percent whether it's listed as -- how they
22 listed it on the ingredient label as long as it's
23 50 percent?

24 MR. ANSELL: Object to form,
25 objection as it assumes facts not in evidence.

1 LAUREN HALL

2 Go ahead.

3 A. Does it makes a difference to me?

4 Q. Yeah.

5 A. Sure.

6 Q. Why?

7 A. Because it's a combination of -- you
8 just said you don't know what it's in it. Isn't
9 the ingredients supposed to list what's in it?

10 Q. We know what it's in it. It says
11 exactly what's in it.

12 A. What's in the "fruit puree?" You
13 just said it comes as a combined product.

14 Q. Grape, peach, orange, strawberry and
15 raspberry is what comes in this puree.

16 So I'm asking you --

17 A. As a finished product.

18 Q. Right.

19 A. And what are the percentages?

20 Q. Does it matter to you whether it's --
21 if the total is 50, does it matter to you whether
22 the grape is 15 or 10 and the peach is 10 and 15
23 and the orange is 5 or 10?

24 A. Different fruit, no.

25 Q. Okay. So that doesn't matter to you.

1 LAUREN HALL

2 What matters to you is what the total is,
3 right, which would be the 50?

4 And, again, I'm making up numbers but --
5 for rounding purposes but --

6 A. Sure, yes.

7 Q. So, if it's got 50 percent fruit
8 puree and the next ingredient, which is corn
9 syrup, is something less than 50, isn't it
10 accurate to say that fruit puree is the most
11 predominant ingredient?

12 MR. ANSELL: Objection, assumes facts
13 not in evidence.

14 A. Can you repeat the question?

15 Q. If the fruit puree is 50 percent and
16 the corn syrup is 30 percent, isn't it true that
17 fruit puree is the most predominant ingredient?

18 A. Yes.

19 Q. And so your issue is that fruit puree
20 is not real fruit? You're saying the ingredient
21 list -- the list for puree is not consistent with
22 the button on the front, which says "made with
23 real fruit?"

24 A. Yes.

25 Q. Is that what you're saying?

1 LAUREN HALL

2 A. Yes.

3 Q. Yet during the course of in the seven
4 years in which you purchased the product, you saw
5 the ingredient list, you saw that it said "fruit
6 juice concentrate" or later "fruit puree" as the
7 first ingredient, you saw the button that said,
8 "made with real fruit" you continued to purchase
9 the product over and over and over again for
10 years after that, right?

11 MR. ANSELL: Object to form.
12 Objection, it mischaracterizes her testimony as
13 to when she read the ingredient list.

14 A. Which I don't recall.

15 Q. Well, you bought it over seven years,
16 about 350 times.

17 I'm assuming the first time you looked at
18 the ingredient list wasn't on time 349, was it?

19 A. No.

20 Q. It was probably in the earlier years,
21 wasn't it?

22 A. I don't recall.

23 Q. Do you, typically, look at the
24 ingredient list on products you purchase?

25 A. I do. More so now than I have in the

LAUREN HALL

past.

Q. Okay. But were you doing it when -- eight, nine, ten years ago, when you first purchased Welch's Fruit Snacks, were you looking at the ingredients of products?

A. I don't recall when I first looked at the ingredients.

Q. Did you start looking at them more when you had kids?

A. Yes.

Q. Okay. So you had a child ten years ago and another eight years ago.

Was it about that time that you started looking at the ingredient list more carefully?

A. I would say over the years, it's become more and more that I've read labels and looked at ingredients.

Q. So it's, more likely, that you looked at the ingredient list for the Welch's Fruit Snacks, you had two children, ten-year-old and eight-year-old, you're buying it for the two of them and then you had girls later than that.

Is it likely that you were looking at the ingredient list sometime when you're first

LAUREN HALL

purchasing the product for your two sons?

MR. ANSELL: Objection, asked and answered.

A. I don't recall the first time I looked at the ingredient list.

Q. Okay. Was it -- do you believe it was in the first half of the seven years that you purchased Welch's Fruit Snacks or in the latter half?

MR. ANSELL: Objection, asked and answered.

A. I don't recall.

Q. Was it in the last year?

A. No.

Q. Before then?

A. Before this last year?

Q. Before the last year you purchased? You bought it for seven years; in the last year that you purchased Welch's Fruit Snacks?

A. I don't recall.

Q. By the last time you purchased it, you had three children, right, or was it all four of them?

A. No, three, about three, maybe the

LAUREN HALL

smallest one was a baby but...

Q. Were you looking at labels at that point, ingredient panels at that point?

A. Sure. I don't look at the label of every single item I purchase. I try to purchase non-processed foods.

Q. But you did purchase Welch's Fruit Snacks several times after looking at the ingredient list on the product, right?

A. Yes.

Q. And you did so after you saw the ingredient list that said "fruit puree" or "fruit juice concentrate," if that's when you first looked at it and when you juxtapose that with the "made the real fruit," seeing both of those, you continued to buy the product?

A. Yes.

Q. At that time you didn't see anything "deceptive" or false or incorrect about the label?

A. No. But I gave them less of it. I cut back on the amount they ate.

Q. How much less?

A. I don't know. I didn't -- I mean, if

LAUREN HALL

I gave them fruit snacks a few times a week, maybe once or twice a week. I don't...

Q. And you were purchasing the product long before the label said fruit's our first ingredient, correct?

A. I don't recall.

Q. Well, Exhibit 17 doesn't say fruit is the first ingredient, right?

A. No.

Q. Okay. I'm going to show you what we'll mark as Exhibit 18.

(Deposition Exhibit Hall 18, color scan of Welch's 2014 label, was marked for identification.)

Q. Exhibit 18 is another label of the Welch's Fruit Snacks Mixed Fruit variety and the copyright on it says 2014. But I'll represent for the record that this label was used, I believe, as early as 2012.

But do you recall seeing this label for the product?

A. Yes.

Q. Doesn't say fruit is our first ingredient, right?

Page 150

1 LAUREN HALL

2 A. No.

3 Q. So you didn't buy the product because
4 of the fruit is our first ingredient statement,
5 right?

6 A. No.

7 Q. And what about this label caused you
8 to purchase the product? And let me back up.9 If you look at the ingredient list, it
10 says, "juice from concentrates," and it lists
11 grape, pear, peach and pineapple as the fruit
12 juice concentrates.13 So what about this label caused you to
14 purchase the product?15 A. "Made with real fruit," "no
16 preservatives," vitamins.

17 Q. Anything else?

18 A. No.

19 Q. Okay. And you did look at this
20 ingredient list panel at some point that said
21 "juice from concentrate" and the other
22 ingredients including corn syrup, sugar, modified
23 corn starch, et cetera, right?

24 A. Yes.

25 Q. You saw that at the time you were

Page 151

1 LAUREN HALL

2 purchasing the product that contained this label,
3 right?

4 A. Yes.

5 Q. So you saw the ingredient list that
6 said "juice from concentrates." You saw the
7 "made with real fruit" button on the front.8 Did you see anything false or "deceptive"
9 or misleading at that time?

10 A. No.

11 Q. And it's your testimony that you
12 believe that fruit puree and fruit juice are not
13 real fruit?

14 A. Yes.

15 Q. Are you aware whether the FDA has
16 ever weighed in on that topic?

17 A. No.

18 MR. ANSELL: Objection, calls for a
19 legal conclusion.

20 A. No.

21 Q. I'm going to -- would you acknowledge
22 that the FDA is more knowledgeable about these
23 things than you are as to what constitutes fruit?

24 A. Yes.

25 Q. Would you acknowledge that a food

Page 152

1 LAUREN HALL

2 chemist who is an expert on food chemistry and,
3 specifically, on fruits would be more
4 knowledgeable than you about whether fruit puree
5 and fruit juice concentrate are fruit?

6 MR. ANSELL: Object to form.

7 Go ahead.

8 A. Yes.

9 MR. SILVERMAN: Okay. Let's mark as
10 Exhibit 19.11 (Deposition Exhibit Hall 19, Questions and
12 Answers on the Nutrition and Supplement Facts
13 Labels Related to the Compliance Date, Added
14 Sugars, and Declaration of Quantitative Amounts
15 of Vitamins and Minerals: Guidance for Industry,
16 was marked for identification.)17 Q. Exhibit 19 is a January 2017 document
18 from the US Department of Health and Human
19 Services, Food and Drug Administration, Center
20 for Food Safety and Applied Nutrition. The
21 document is entitled, "Question and Answers on
22 the Nutrition and Supplemental Facts Labels
23 Related to the Compliance Date, Added Sugars and
24 Declaration of Quantitative Amounts of Vitamins
25 and Minerals: Guidance for Industry."

Page 153

1 LAUREN HALL

2 I'm assuming you've never seen this
3 document before, right?

4 A. Nope.

5 Q. Okay. Turn to Question and Answer
6 10.

7 A. Okay.

8 Q. And Question 10, it's about the top
9 third of the page.

10 A. Uh-huh.

11 Q. It says, "The definition of added
12 sugars excludes the fruit component of fruit
13 spreads.14 What constitutes the fruit component of a
15 nonstandardized fruit spread?" And it says,
16 "Please see our response to Question 5 above.
17 The fruit component of a fruit spread would
18 include whole fruit, pieces of fruit, dried
19 fruit, fruit purees that have not been
20 concentrated, fruit pulp, single strength fruit
21 juice or other fruit ingredients where a whole
22 fruit has been processed so that the plant
23 material is physically broken down into smaller
24 pieces, e.g., chopping, dicing, grinding,
25 pureeing, et cetera, but the sugar and the

1 LAUREN HALL
2 ingredients have not been concentrated." Do you
3 see that?

4 A. Yeah.

5 Q. Based on reading that definition from
6 the Food and Drug Administration, doesn't that
7 say that fruit juice concentrate and fruit puree
8 are considered fruit?

9 MR. ANSELL: Objection, calls for a
10 legal conclusion. And I believe you yourself
11 admonished the witness as not being an expert in
12 ingredients or labeling. So the fact that you're
13 now asking her to opine on FDA definitions is a
14 little hypocritical and improper.

15 MR. SILVERMAN: I'm asking the
16 witness to look at the words on the page and tell
17 me if the words on the page say what I think they
18 say. And I'm asking for a layperson's reading of
19 the answer to Paragraph 10 and whether fruit
20 puree and fruit juice concentrate are considered
21 fruit under the answer to Paragraph 10.

22 MR. ANSELL: Objection. You are not
23 asking -- you've read the question and answer
24 into the record. So you're not asking as to the
25 voracity as to what the document actually states.

1 LAUREN HALL
2 You are asking her to opine as to the validity of
3 the statement, a fact to which you yourself said
4 she is not qualified to testify to.

5 MR. SILVERMAN: I'm not asking her
6 that. I'm asking her --

7 MR. ANSELL: Is that what it says?
8 If you want to ask her if that's what it says --

9 Q. Yes. Is that what it says? Does
10 this document say that fruit juice concentrate
11 and fruit puree are fruit?

12 MR. ANSELL: Objection. It
13 mischaracterizes the quote from the document.

14 A. Yeah.

15 Q. Okay. Let me show you another label.

16 A. But shouldn't the box say made with
17 real fruit component then?

18 Q. The box has an ingredient list that
19 says, "fruit juice concentrate" or "fruit puree,"
20 right?

21 A. Right. But on the front it says,
22 "made with real fruit." And if that is the
23 definition of fruit spread and fruit puree, then
24 it should say --

25 Q. Would that have made the difference

1 LAUREN HALL
2 for you, if it said, made with real fruit
3 components, rather than "made with real fruit"
4 and that would be all the difference for you?

5 A. Maybe.

6 Q. Seriously?

7 A. I mean, fruit component, fruit
8 spreads is not real fruit. So...

9 Q. But the ingredient list, which you
10 read and continued to purchase the product, tells
11 you exactly what it is "fruit juice concentrate"
12 at one time and "fruit puree" or subsequently
13 "fruit puree." You saw that you continued to buy
14 it, right?

15 MR. ANSELL: Objection, asked and
16 answered.

17 A. Yeah.

18 (Deposition Exhibit Hall 20, color scan of
19 Welch's 2015 label, was marked for
20 identification.)

21 (There is a discussion off the record.)

22 Q. Exhibit 20 is a label, a Welch's
23 Fruit Snacks Mixed Fruit, again, ten pack label.
24 This is copyrighted at 2015. I'll represent to
25 you that this was the label that was began to be

1 LAUREN HALL
2 used in 2015 in which the formula was changed and
3 the first ingredient was "fruit puree" rather
4 than "fruit juice concentrate."

5 Have you ever seen that label before?

6 A. Yes.

7 Q. Did you notice the -- any changes to
8 the label?

9 A. I didn't.

10 Q. Did you notice any change to the
11 ingredient list?

12 A. Not that I recall, no.

13 Q. So, despite the fact that you said
14 you saw the ingredient list when the product --
15 the first ingredient was "fruit juice
16 concentrate" and you saw the label and the
17 ingredient list when the first ingredient was
18 "fruit puree," you didn't notice the change?

19 MR. ANSELL: Objection,
20 mischaracterizes testimony. She repeated -- she
21 testified repeatedly that she did not know when
22 she read the label.

23 Q. You can answer.

24 A. I'm sorry, can you repeat the
25 question?

Page 158

1 LAUREN HALL

2 Q. We all know what you said.

3 Despite -- you looked at the label -- I
4 think, you previously testified in the last
5 15 minutes that you did see the ingredient list
6 of Exhibit 18 in which "fruit juice concentrate"
7 was the first ingredient, right?

8 A. Uh-huh, yes.

9 Q. Yes?

10 A. Yes.

11 Q. And you saw the ingredient list on
12 Exhibit 20, correct?

13 A. Yes.

14 Q. And you did so at the time you were
15 purchasing the product, right?

16 A. Yes.

17 Q. And despite the fact that you saw the
18 ingredient list that said "fruit juice
19 concentrate" and you saw the subsequent
20 ingredient list that said "fruit puree," you
21 didn't notice the difference?

22 A. Not that I recall.

23 Q. Is this the first time sitting here
24 this moment that you are aware that the
25 ingredients -- ingredient list changed?

Page 159

1 LAUREN HALL

2 A. No.

3 Q. When did you first become aware of
4 that?

5 A. I don't recall.

6 Q. Was it before or after your lawsuit
7 was filed?

8 A. I don't recall.

9 Q. Was it before or after you were
10 purchasing -- stopped purchasing the product?

11 A. I don't recall.

12 Q. Did it make any difference to you
13 that the first ingredient was now "fruit puree"
14 versus "fruit juice concentrate?"

15 A. No.

16 Q. Why not?

17 A. I don't know.

18 Q. Do you have any belief or opinion
19 whether fruit puree is, quote, "better" than
20 fruit juice concentrate?

21 A. I don't.

22 Q. Do you know what percentage of fruit
23 juice concentrate was in the product at the time
24 that was the first ingredient?

25 A. I don't.

Page 160

1 LAUREN HALL

2 Q. Any idea? You don't know whether --

3 A. No.

4 Q. -- it was 2 percent, 50 percent, you
5 have no idea?

6 A. No.

7 Q. Does it make any difference to you
8 whether it was 2 percent or 50 percent?

9 A. Of the fruit content?

10 Q. Of the total ingredients, whether the
11 total percentage of -- the total, whether that is
12 2 percent fruit juice concentrate or 50 percent,
13 does that matter to you?

14 A. Yes.

15 Q. Why?

16 A. Cause if there's -- if something
17 contains more fruit than -- if something has
18 50 percent more fruit than not, of course. I
19 mean, if you're buying it for fruit and for
20 health -- for healthier options than, yeah,
21 50 percent fruit is better than 1 percent fruit,
22 correct? I mean...

23 Q. And how about -- so what do you
24 consider a significant amount of fruit?

25 A. For me?

Page 161

1 LAUREN HALL

2 Q. Yeah.

3 A. A piece of fruit.

4 Q. Okay. But you knew you weren't
5 buying a piece of fruit for your kids, right?

6 A. Correct.

7 Q. So, in terms of this product, what do
8 you consider a significant amount of fruit, 5
9 percent, 10, 20, what's significant?

10 A. I wasn't buying it for the fruit
11 content. I was buying it as a snack that was a
12 better alternative to the other fruit snacks that
13 were out there.

14 Q. "Better alternative" to other fruit
15 snacks?

16 A. Fruit snacks.

17 Q. What "other fruit snacks?"

18 A. "Other fruit snacks" on the shelf.

19 Q. Did you compare --

20 A. I wasn't buying --

21 Q. -- the "other fruit snacks" labels?

22 A. -- it to say this one has 75 percent
23 fruit versus 10 percent fruit in this one.

24 Q. Well, if you weren't buying it for
25 the fruit content and you're saying it was a

1 LAUREN HALL

2 "better alternative" to other fruit snacks, did
3 you take a box of -- and label of Welch's Fruit
4 Snacks and compare it to Annie's, Mott's or any
5 other fruit snacks at the times --

6 A. At the time, no.

7 Q. At the time, no.

8 So the first time you purchased the
9 product, you weren't getting it because it was a
10 "better alternative" to other fruit snacks?

11 A. Well, I was. The advertising on the
12 box said "made with real fruit," "no
13 preservatives" and vitamins. So it attracted --

14 Q. And so does the Mott's box?

15 MR. ANSELL: Objection. That
16 mischaracterizes her testimony as to whether the
17 Mott's and the Annie's were on the shelf at the
18 time she first decided to purchase Welch's.

19 Q. You don't recall whether the Mott's
20 product was on the shelf when you purchased?

21 MR. ANSELL: Asked and answered.

22 A. I don't.

23 Q. Okay. When I asked you earlier about
24 the varieties and the number of shelves of fruit
25 snacks, was it when you first purchased the

1 LAUREN HALL

2 product that it was about 5 shelves and 12
3 varieties?

4 A. I don't recall; yes, yes.

5 Q. Okay. So assuming that the Mott's
6 product was on the shelf when you bought it first
7 -- when you bought Welch's for the first time,
8 did you compare the two?

9 MR. ANSELL: Objection, assumes facts
10 not in evidence.

11 A. Yes. That's assuming that it was
12 there and assuming the labels looked the same
13 eight years ago. I did not compare when I first
14 purchased Welch's to the Mott's.

15 Q. And when you first purchased the
16 Welch's, you didn't compare it to other fruit
17 snacks, right?

18 A. No.

19 Q. Cause you just testified you didn't
20 buy it for the fruit content, you bought it
21 because it was a "better alternative" to other
22 fruit snacks, but that wasn't the reasoning when
23 you first purchased it, right?

24 A. There was advertising on it that made
25 me look at it and say that this is a healthier

1 LAUREN HALL

2 alternative. It's "made with real fruit,"
3 there's "no preservatives" and there's vitamins.

4 Q. "Healthier alternative" to what?

5 A. Other fruit snacks.

6 Q. But you just said you weren't
7 comparing it to other fruit snacks at the time,
8 right? When you first purchased it, did you
9 compare it to other fruit snacks?

10 A. Label-wise, no. To the box and the
11 advertisement, yes.

12 Q. What other fruit snacks did you
13 compare it to?

14 A. My gosh. I don't recall; whatever
15 was on the shelf.

16 Q. And what do you mean by "healthier
17 alternative?"

18 A. A better option.

19 Q. What does that mean?

20 A. It's "made with real fruit." It has
21 "no preservatives" and there's vitamins in it.

22 Q. All of which are true, aren't they?

23 MR. ANSELL: Objection, calls for a
24 legal conclusion.

25 Q. Those are all true statements, aren't

1 LAUREN HALL

2 they?

3 A. I -- I don't know.

4 Q. If you don't know, then what is your
5 basis for alleging that the label is false and
6 misleading and "deceptive," if you don't know if
7 any of those three things are true or not?

8 A. I refer to my counsel and the
9 investigation that has been -- I don't know.

10 Q. And before the lawsuit was filed with
11 your name on it, Lauren Hall against Welch's
12 Fruit, Inc., and the Promotion in Motion
13 Companies, before that lawsuit was filed for the
14 first time in April and amended again in June,
15 you never saw it to confirm the accuracy of the
16 representations and allegations made, did you?

17 A. No.

18 Q. The first time you saw it was this
19 morning, right?

20 A. Yes.

21 Q. And when you say, it's "a better
22 option," you say that's because it said, "made
23 with real fruit," "no preservatives" and
24 vitamins, right, that's the better option that
25 you're talking about?

1 LAUREN HALL

2 A. Yeah.

3 Q. So it wasn't the first time -- when
4 you first purchased the product, you didn't buy
5 it for the fruit content -- you said you didn't
6 buy it for the fruit content, you bought it
7 because it was a good snack for your kids and
8 something that they would like, the taste, right?

9 MR. ANSELL: Objection,
10 mischaracterizes testimony. She just testified
11 that she believed it was a "healthier
12 alternative" literally a minute ago.

13 MR. SILVERMAN: Okay. And I'm
14 quoting her. I didn't buy it for the fruit
15 content. I bought it because it was a "better
16 alternative" to other fruit snacks. Then she
17 testified, but that she didn't -- the first time
18 she purchased it, she wasn't looking at other
19 fruit snacks so...

20 So the first time you bought it -- she
21 previously testified as to the reasons she
22 purchased the product, it was a snack for her
23 kids and something they'd like the taste.

24 Q. Right, is that accurate?

25 A. Yes.

1 LAUREN HALL

2 Q. Okay. So the first time you
3 purchased the product, you bought it not for the
4 fruit snack content but rather it was a snack for
5 your kids and because you thought it would be
6 something that they would like the taste, right?

7 A. Right.

8 Q. Subsequently, sometime later, you
9 don't recall when, you thought it was a better
10 alternative to other fruit snacks.

11 MR. ANSELL: Objection.

12 Q. Did you compare labels?

13 MR. ANSELL: Objection,
14 mischaracterizes her testimony. The question you
15 asked was why she bought it compared to others.

16 MR. SILVERMAN: No, no, no. I asked
17 why she bought it the first time. She just
18 answered. Now I'm asking about her subsequent
19 purchases.

20 Q. Sometime later you added in -- you
21 still weren't buying it for the fruit content,
22 but later on you said it was a "better
23 alternative" to other fruit snacks because you
24 compared Welch's to some other fruit snacks later
25 on, right?

1 LAUREN HALL

2 MR. ANSELL: Objection. That
3 completely mischaracterizes the testimony. She
4 did not say that she subsequently changed her
5 mind to purchase it because --

6 MR. SILVERMAN: You're not
7 testifying, Michael. So please let the witness
8 answer the question. If she thinks --

9 MR. ANSELL: Then read back the
10 transcript.

11 MR. SILVERMAN: If she thinks what
12 I'm saying is wrong she should --

13 MR. ANSELL: I'm objecting and saying
14 it's mischaracterizing the testimony.

15 MR. SILVERMAN: At the outset of this
16 deposition, I told the witness if there was
17 anything about my question that she
18 misunderstands or miss recollects or I'm saying
19 it wrong, she should tell me and I'll re-ask the
20 question.

21 Q. So, if you're telling me I'm saying
22 something that's not what you said, let me know
23 that; otherwise, I'm going to assume what I'm
24 telling you -- what I'm saying is accurate.

25 A. It's not accurate.

1 LAUREN HALL

2 Q. Okay.

3 A. I went to buy a snack, fruit snacks
4 for my children. While I was there, you look at
5 the labels and I made my decision based on the
6 advertising on the box.

7 I didn't -- I didn't later on change my
8 mind and decide to purchase it at a different
9 point. I was in the aisle buying fruit snacks
10 for my children. I looked at the boxes. This
11 one advertised to me.

12 Q. But you testified the "better
13 alternative" to other fruit snacks wasn't a
14 reason you first purchased it, right?

15 A. I don't recall saying that. It
16 wasn't...

17 Q. Did you compare the Welch's Fruit
18 Snack to other fruit snacks when you first
19 purchased it?

20 A. Based on the box --

21 MR. ANSELL: Objection, asked and
22 answered.

23 A. Based on the box, it has statements
24 that appeal to me more than other fruit snacks.

25 Q. What "other fruit snacks" did you

Page 170

LAUREN HALL

compare it to?

A. The ones that were there eight, ten years ago in the store.

Q. Do you know a single brand, a single product that you compared it to, whether it be Mott's, Annie's or anything else?

A. I don't.

Q. And, subsequently, after you made your first purchase, did you compare it to other fruit snack products, Mott's, Annie's or anything else?

A. No.

MR. ANSELL: I'm going to say that we break for lunch now, if that's good with everybody, unless you're nearing the end.

MR. SILVERMAN: Well, I'm not "nearing the end." No, we're definitely going to need a lunch break.

I suppose, yeah, we can break.

THE VIDEOGRAPHER: Okay. The time is 12:40 p.m. We're off the record.

(Lunch recess taken 12:40 to 1:40 p.m.)

THE VIDEOGRAPHER: The time is 1:41 p.m. We're on the record.

Page 171

LAUREN HALL

Q. Real quickly, we talked earlier about your discussion with Melanie Nobel.

A. Uh-huh.

Q. She was the one who told you that the product was filled with sugar?

A. Yeah.

Q. Had she ever purchased Welch's Fruit Snacks did she tell you?

A. I don't know.

Q. How long did your conversation with Ms. Nobel last in which you discussed Welch's Fruit Snacks?

A. Couple seconds. She knew I purchased them.

Q. So you made 350 odd purchases over seven years both before and after reading the ingredient list on Welch's Fruit Snacks and based upon a few second conversation with Ms. Nobel who told you this product had sugar, you stopped buying the product completely; is that your testimony?

MR. ANSELL: Objection, argumentative.

You can answer

Q. You can answer.

Page 172

LAUREN HALL

A. Yes.

Q. What was it that she said -- what new information did she provide you, if any, in that few second conversation that caused you to stop buying the product after you had been buying it for seven years on a weekly basis?

MR. ANSELL: Objection, asked and answered.

A. The conversation was extremely brief. I think it was more of a brought to my attention of something that I had been looking at over some time.

Q. What do you mean, it was something you had been looking at over time?

A. Well, just becoming more aware of the products that I was bringing into my home and it was, you know, maybe a comment that just made me more aware of the products I'm bringing into my home.

Q. But you knew when you bought the product both from the ingredient panel and from the front label that the product contained 11 grams of sugar, you knew that, right?

A. Yes.

Page 173

LAUREN HALL

Q. So there was nothing that Ms. Nobel told you that the fact that it had sugar that was news to you, correct?

A. No.

Q. So what was it that she told you, if anything, that caused you to stop buying the product cold turkey?

MR. ANSELL: Objection, asked and answered.

A. There was nothing in our conversation that made me stop buying the product with her.

The reason I stopped buying the product is because I have become more knowledgeable about the foods that I give my children and I try not to give them as much processed and sugar.

But there was nothing that Melanie said to me that day that made me stop purchasing. Melanie had nothing to do with me stopping purchasing the product.

Q. It was just a coincidence that after your conversation -- the week before your conversation you bought it, but after you spoke with her you never bought it again?

A. I never said I bought it the week

1 LAUREN HALL

2 before I spoke with her.

3 Q. Oh. When did you stop purchasing it?

4 A. A few years ago. I mean, maybe one
5 to two years ago. I don't know the exact week
6 that I stopped purchasing the product.

7 Q. But you had been purchasing -- I had
8 understood your testimony to be that at the time
9 you had the conversation with her, you were still
10 buying the product; otherwise, why would you have
11 the conversation?

12 A. Yeah, I'm not exactly sure when this
13 conversation with her happened. I don't recall.

14 Q. Well, had you stopped buying it by
15 the time you had the conversation with her or
16 were you still buying it?

17 A. I guess I was buying it, but what she
18 said that day was not me stating that I'm never
19 buying this again based on what she had said to
20 me. She had nothing to do with me.

21 Q. It was just a coincidence you were
22 buying it when you spoke to her, and after you
23 spoke with her, you weren't buying it, but your
24 discussion with her had no impact on that
25 decision?

1 LAUREN HALL

2 A. No, I mean it definitely gave me
3 thought.

4 Q. So what "thought" did it give you?

5 A. I don't know. Just a reminder of the
6 things that I'm bringing into my house to give my
7 kids and maybe I should be more aware of it. I
8 don't know. I mean...

9 Q. Okay. The amount of sugar in the
10 product, you knew that from the label, in two
11 different places on the label, right?

12 A. Correct.

13 Q. So what was it the label that caused
14 you to -- what was it about the product that
15 caused you to no longer purchase it?

16 A. I'm sorry, could you repeat the
17 question?

18 Q. What was it about the product that
19 caused you to no longer purchase it?

20 A. Just that there's better options to
21 give my kids for snacks than fruit snacks that I
22 don't believe are made with real fruit and, yes,
23 they're high in sugar, which I know. But I'm
24 over time making better decisions and I don't
25 give my kids processed stuff anymore.

1 LAUREN HALL

2 Q. Okay. So tell me everything on this
3 label that is false or "deceptive."

4 MR. ANSELL: Objection, asked and
5 answered a thousand times.

6 Do you have anything to add to that to any
7 of your prior 20 answers to this same exact
8 question?

9 THE WITNESS: No.

10 Q. Okay. Well, before the break you
11 said that you didn't buy it for the fruit snack
12 content because I was asking you about what
13 percentage of fruit you considered to be
14 significant.

15 And you said, I didn't buy it either the
16 first time or any subsequent time for the fruit
17 content; is that right?

18 A. No. If I wanted my kids to have
19 fruit, I would give them fruit. The fact that it
20 was advertised as "a better alternative" because
21 there was fruit, yes, swayed my decision into
22 purchasing that over something that didn't say
23 there was fruit in it.

24 Q. Where does it say it's "a better
25 alternative?" Where on this label does it say

1 LAUREN HALL

2 it's "a better alternative?"

3 A. It says, "made with real fruit."

4 Q. And you have no --

5 A. So, to me, the assumption was that if
6 it's "made with real fruit," it's something
7 that's better that's processed and has no fruit.

8 Q. And yet you have no basis sitting
9 here today to say that it's not made with real
10 fruit, do you?

11 MR. ANSELL: Objection, calls for a
12 legal conclusion.

13 You can answer.

14 A. No.

15 Q. Okay. Let's talk about -- I think
16 earlier you talked about the vitamins. It says,
17 "100% Vitamin C," "25% Vitamins A and E."

18 Is there anything false about that
19 statement?

20 A. I don't know.

21 Q. And it says, "no preservatives."

22 Is there anything false about that
23 statement?

24 A. No, not that I -- no, not that I know
25 of. I mean preservatives are processed foods

1 LAUREN HALL

2 that you -- chemicals that you put in foods to
3 preserve them. There's lots of chemicals on that
4 ingredient list. I don't know if any of those
5 are preservatives or chemicals or for what.

6 Q. You don't know if any of the
7 ingredients in this product are used to preserve
8 the product, right?

9 A. I don't know.

10 Q. So isn't a product that contains
11 "fruit juice concentrate" or "fruit puree" and
12 contains a "100 percent Vitamin C" and
13 "25 percent Vitamin A and E" a better option than
14 other snacks?

15 MR. ANSELL: Objection, assumes facts
16 not in evidence.

17 A. It depends on which snack. Sure, if
18 it does, yeah.

19 Q. And if it does -- and sitting here
20 today you've testified several times that you
21 have no basis for saying that it doesn't, right?

22 MR. ANSELL: Objection,
23 mischaracterizes testimony.

24 A. Yes.

25 Q. If you could take a look at

1 LAUREN HALL

2 Exhibit 7, which is your Answers to
3 Interrogatories, Promotion in Motion's
4 interrogatories.

5 A. (The witness complies.)

6 Q. You have them?

7 A. Uh-huh.

8 Q. Take a first look at response to No.

9 1.

10 MR. ANSELL: It's the responses, not
11 general objections, right?

12 MR. SILVERMAN: What? No, the
13 response to No. 1.

14 MR. ANSELL: Okay. Just if you turn
15 to --

16 Q. "Subject to and without waiving the
17 objections, Plaintiff responds that she purchased
18 several flavored varieties of fruit snacks."

19 MR. ANSELL: Response.

20 A. Okay.

21 Q. Several varieties.

22 You testified earlier today that
23 99 percent of your purchases were the mixed fruit
24 and less than a half dozen times was a cherries
25 variety, right?

1 LAUREN HALL

2 A. Yes.

3 Q. So is that several varieties, is that
4 consistent with that answer?

5 A. Yes. I mean, I mostly purchased that
6 and occasionally the mixed berries. I guess if
7 that's --

8 Q. You earlier -- I'm sorry.

9 You earlier testified that this response
10 was served on March 7th and you earlier testified
11 you didn't see them until the week of the 19th.

12 So you never even looked at this response
13 before it was served, did you?

14 A. This -- no, I did. I had this
15 response. I didn't -- I didn't sign it until the
16 week of the 19th.

17 Q. You said you didn't look at them
18 until that week either?

19 A. So could you rephrase the question?

20 Q. Is buying -- is it consistent with
21 what you testified today that you bought several
22 varieties or you bought predominantly one variety
23 and a few times a second variety?

24 A. What is your definition of "several?"

25 MR. ANSELL: Objection.

1 LAUREN HALL

2 Q. More than two. Webster's would
3 define "several" as more than two for sure. A
4 couple would be two.

5 A. Okay. I definitely know of two.
6 Mostly the mixed fruit, sometimes the red box.
7 If there was one or two in there, I don't recall.
8 But it depends on your definition of "several."
9 Yes, I bought "several" cause I bought more than
10 the mixed fruit box.

11 Q. And did you provide the answer to C
12 that says, approximately, that you paid \$4 for a
13 10 pack -- \$4 for a pack of 10 and \$10 for a pack
14 of 40?

15 A. An estimate.

16 Q. Because your testimony earlier today
17 was it was more like \$3 and 8 to \$9?

18 A. Yeah, over an eight-year period.

19 MR. ANSELL: Objection,
20 mischaracterizes testimony. I believe she
21 testified that it was 3 to \$4 for a pack of 10
22 and 8 to \$9 for a pack of 40.

23 Q. And yet you haven't kept a single
24 receipt of your 350 purchases to know how much
25 you paid, did you?

Page 182

1 LAUREN HALL

2 A. No.

3 Q. I know you're laughing. But that's
4 actually kind of critical to this case.

5 A. Okay.

6 Q. You have no proof that you ever
7 bought the product.8 A. You can go on my A&P card and look at
9 my purchase history, if you'd like.10 Q. So these are just estimates since you
11 hadn't bought the product in a year or two and
12 you bought it over the course of about seven
13 years, you're just estimating how much you paid
14 for it?15 A. Prices change, coupons, sales. Yes,
16 it was an estimate.17 Q. And you don't know whether Welch's
18 Fruit Snacks cost more or less than any other
19 fruit snack products that you could have
20 purchased, right?21 A. I'm sure they cost more than some and
22 I'm sure they cost less than some.23 Q. Would it surprise you to learn that
24 they cost less than virtually every other option
25 you could have had?

Page 183

1 LAUREN HALL

2 MR. ANSELL: Objection, assumes facts
3 not in evidence.4 Q. At your Acme store, which I visited
5 last night --

6 A. Last night but not eight years ago.

7 MR. ANSELL: And objection again.
8 Are you --9 Q. I did not visit your Acme store eight
10 years ago.11 MR. ANSELL: Objection. Are you
12 testifying here today? Are you providing
13 evidence.14 MR. SILVERMAN: No, I'm asking the
15 witness.

16 MR. ANSELL: Okay.

17 MR. SILVERMAN: She just said, I
18 assume they cost more than some and less than
19 some.20 Q. I'm telling her would it surprise you
21 to learn that they cost less than virtually every
22 other option you could have purchased?

23 A. Last night on one night.

24 Q. But you have no proof that they ever
25 cost more than any other Welch's -- any other

Page 184

1 LAUREN HALL

2 fruit snack, right?

3 MR. ANSELL: Objection. You just
4 said "virtually" all. So you've admitted they
5 cost more than some.6 Q. Actually, last night when I shopped,
7 they cost less than every single fruit snack on
8 the shelf. All five shelves, all dozen plus
9 varieties, they cost less than every single one
10 of them.11 MR. ANSELL: So, if you want to make
12 that statement, then produce the records from the
13 Acme for the past last eight years to show that
14 Welch's was always the lowest.15 MR. SILVERMAN: It's not my burden of
16 proof. It's yours and you can't meet it.17 Q. You don't know? You don't know over
18 the course of the seven years you bought the
19 product whether Welch's cost more or less than
20 the alternative, than the other fruit snack
21 products, do you?

22 A. No.

23 Q. Okay. Let's look your response to
24 Interrogatory No. 2 where it asks you to "state
25 all facts concerning each representation you saw

Page 185

1 LAUREN HALL

2 and relied upon prior to purchasing the products,
3 including but not limited to representations on
4 the product's packaging and labeling."5 And you say, you relied upon the following
6 representations, "A, the fruit snacks contain the
7 fruit depicted on the package."

8 That's a true statement, isn't it?

9 MR. ANSELL: I'm sorry. What's "a
10 true statement?"11 MR. SILVERMAN: "That the fruit
12 snacks contain the fruit depicted on the
13 package."14 MR. ANSELL: Do you want to read
15 through the fruit ingredients and go through the
16 fruit snack that are pictured on the package?

17 MR. SILVERMAN: Sure.

18 MR. ANSELL: Okay.

19 MR. SILVERMAN: Yep. They're all
20 there, strawberries, orange, raspberry, grape,
21 blueberry.22 MR. ANSELL: There's no blueberry in
23 the ingredients.24 MR. SILVERMAN: That's a grape.
25 That's a grape, not a blueberry.

Page 186

1 LAUREN HALL

2 MR. ANSELL: Is that a grape?

3 A. Those are grapes, the green one.

4 MR. SILVERMAN: Those are grapes.

5 MR. ANSELL: I thought grapes are
6 green ones.7 MR. SILVERMAN: There are two types
8 of grapes.9 MR. ANSELL: There's also looks like
10 a blackberry to me.11 Q. Okay. Well, I'll ask you the
12 question.13 Is it your testimony that the fruits
14 depicted are not in the product?

15 A. No.

16 Q. And do you have any basis for saying
17 that the products -- that the fruits depicted on
18 the package were not in the product?

19 A. Aren't they listed?

20 Q. Yes, they're listed. There's a
21 picture and then there's the ingredient list
22 which shows you all the fruits that are in the
23 package.24 MR. ANSELL: Objection. For the
25 record, you're showing her the latest package,

Page 187

1 LAUREN HALL

2 not the other package, which you testified was
3 for the majority of the time that she would have
4 purchased the product.5 MR. SILVERMAN: Actually, it wasn't
6 "for the majority of the time." The label has
7 been changed four times and she's bought it over
8 the course of seven years, all four labels. So I
9 don't know if it's "the majority of the time."10 MR. ANSELL: I'm saying you're
11 referring to one which was not the labeling, not
12 the ingredient list or the labeling for the
13 entire time that she purchased the product.14 So, if you ask her to make a claim
15 regarding the entirety of the time she purchased
16 the product, then please.17 Q. Alright. Is it your testimony that
18 the fruits contained -- that the fruits did not
19 contain the fruits depicted on the package at
20 anytime during the time you purchased it?

21 A. I'm sorry, repeat that again.

22 Q. You say that you relied upon the
23 following representation in making your purchase
24 that the first -- the fruit snacks contained the
25 fruits -- the fruit depicted on the package.

Page 188

1 LAUREN HALL

2 Is it -- do you believe that at anytime
3 during which you bought the product that the
4 product did not contain the fruits depicted on
5 the package?

6 MR. ANSELL: Object to form.

7 But...

8 A. Yes.

9 Q. "Yes," what? That it didn't?

10 A. I don't know if it's yes.

11 MR. ANSELL: You just asked a
12 question. Is it her contention, yes.13 Q. Is it your contention -- not your
14 contention.15 MR. ANSELL: You asked the question.
16 She said, "yes."17 Q. Is it your contention that the fruit
18 depicted on the label are not in the product?

19 A. Yes.

20 Q. What's your basis for that?

21 A. Because there's -- I mean, is that a
22 blueberry? A blueberry is not listed in the
23 ingredients.

24 Q. It's not a blueberry.

25 Did you see that as a blueberry or is this

Page 189

1 LAUREN HALL

2 the first time you're actually looking at the
3 button --4 A. Oh, no, it's not the first time I'm
5 looking at it.6 Q. Okay. So is that your testimony
7 because you think that's a blueberry --8 A. You asked me -- you asked me if the
9 fruit displayed on there are what is listed and
10 to me they are not. And I answered your
11 question.12 Q. Because you think that's a blueberry,
13 not a grape?

14 A. The grapes are green.

15 Q. Do you understand there's two kinds
16 of grapes?

17 A. I do.

18 Q. Okay.

19 MR. ANSELL: Again, objection,
20 argumentative. And, also, again, you're asking
21 her about eight-year time period in which there
22 were multiple ingredient lists and multiple
23 packaging labels.24 So, if you are going to rely upon a single
25 ingredient list and single packaging, then your

1 LAUREN HALL

2 question has no basis in fact.

3 Q. Is it your testimony that the product
4 does not contain the fruits depicted in the
5 ingredient list?

6 MR. ANSELL: Objection, asked and
7 answered.

8 Q. At anytime whether it was a fruit
9 puree or fruit juice concentrate, is it your
10 testimony that the ingredient list was not
11 accurate?

12 A. Yes.

13 Q. Really? Based on what?

14 A. Based on the advertising on the box
15 and then the list of ingredients.

16 Q. I'm, specifically, asking you about
17 the "fruit juice concentrate" ingredients and the
18 "fruit puree" ingredients. It says, "fruit juice
19 concentrate," and in parentheses it list the
20 fruit juice concentrate; "fruit puree,"
21 parentheses, what the puree is, what is the
22 constituents.

23 Are you telling -- is it your testimony
24 that it would say grape puree but there's no
25 grape puree in the product?

1 LAUREN HALL

2 A. Yes.

3 MR. ANSELL: Objection.

4 Q. What is your basis for saying that
5 the ingredient list is false, as it listed a
6 fruit puree or a fruit juice that's not in the
7 product?

8 MR. ANSELL: Objection. Again,
9 you're referring to a singular -- a single label
10 that you keep referencing on this.

11 MR. SILVERMAN: I'm not going to show
12 her -- I'm not asking her about a label. I'm
13 asking about -- she looked at the ingredient list
14 over the course of seven years.

15 Q. You tell me what ingredient was ever
16 in the mixed fruit product or the berries product
17 that you purchased in which the ingredient list
18 listed a "fruit juice concentrate" or a "fruit
19 puree" that wasn't in the product?

20 A. You didn't ask me if it was in the
21 product. You asked me if it was on the box;
22 correct?

23 Q. Oh, okay. So --

24 A. I'm just clarifying because I'm
25 confused now.

1 LAUREN HALL

2 Q. And you read the ingredient list,
3 right?

4 A. Yes.

5 Q. That's part of the box, isn't it?

6 A. Okay.

7 Q. Is the ingredient list part of the
8 box?

9 A. Yes.

10 Q. And it's something you read, right?

11 A. Yes.

12 MR. ANSELL: Objection, asked and
13 answered.

14 Q. And is there something in the
15 ingredient list over seven years you purchased
16 the product in which there was a "fruit juice
17 concentrate" or "fruit puree" listed that was not
18 in the product?

19 A. You didn't ask me if it was in the
20 product. You asked me if it was on the box.

21 Q. I asked a new question. We'll get
22 back to "on the box."

23 A. Then it's a new question.

24 Q. Okay. It's a new question.

25 In the seven years you purchased the

1 LAUREN HALL

2 product, is there ever a time in which the "fruit
3 puree" or "fruit juice concentrate" listed on the
4 ingredient list was not in the product, to your
5 knowledge?

6 A. Not to my knowledge. I don't know.

7 Q. Okay. And with respect to -- and
8 with respect to the button that's in the bottom
9 left, was there ever a time in which the fruits
10 listed in the button were not in the product?

11 MR. ANSELL: I'm sorry. Object to
12 form.

13 Where are we looking?

14 MR. SILVERMAN: The left-hand corner
15 of the front package where it says, "made with
16 real fruit."

17 Q. (Indicating.)

18 A. Ask your question again.

19 Q. Was there ever a time in which the
20 fruit shown in the button of the products you
21 purchased weren't in the product?

22 A. I don't recall. I don't know.

23 Q. Okay. Your second representation
24 that you say you saw and relied upon prior to
25 purchasing says, "The fruit snacks were made with

1 LAUREN HALL

2 real fruit," right?

3 A. Yes.

4 Q. And you've already testified that you
5 don't know whether "fruit puree" or "fruit juice
6 concentrate" are real fruit, right?

7 A. Yes.

8 Q. Okay. Look at number -- C. "The
9 first ingredient in the fruit snacks was fruit."
10 You read and relied upon that?

11 A. Yes.

12 Q. The first time you bought it?

13 A. No.

14 Q. And where did you see the first time
15 that the first ingredient in the fruit snacks was
16 fruit, was that when you first looked at the
17 ingredient list, whenever that first time was
18 when you saw them?

19 A. Yes.

20 Q. It wasn't the box saying fruit is our
21 first ingredient?

22 A. No.

23 Q. And then the last D, the
24 representation you relied upon -- saw and relied
25 upon prior to purchasing it was D, "The fruit

1 LAUREN HALL

2 snacks contained significant amounts of natural
3 Vitamins A, C and E."

4 A. Yes.

5 Q. Where does it say that? Where does
6 it say it contains "significant amounts of
7 natural Vitamins A, C and E?" Where does it say
8 it?

9 A. It says, "Vitamin C, Vitamins A and
10 E" on the front of the box.

11 Q. Is the word "natural" there?

12 A. No.

13 Q. What do you mean by "natural?"

14 A. I don't know.

15 Q. And you have no reason to believe
16 that the product doesn't contain 25 percent
17 Vitamins A and E and 100 percent Vitamin C,
18 correct?

19 A. I don't know.

20 Q. What do you consider to be a
21 "significant amount?" You used the word
22 "significant amount." What does that mean?

23 A. I don't know.

24 Q. Well, is 25 percent "significant" in
25 your mind? It says, "25% Vitamins A and E."

1 LAUREN HALL

2 A. I guess -- I don't know.

3 Q. Well, you testified that you relied
4 upon it containing a "significant amount." Those
5 were your words or, at least, your counsel's
6 words that you attested to.

7 A. "Significant" is a hundred percent.
8 That's a lot, a hundred percent of Vitamin C.

9 Q. Yeah, but you said a "significant
10 amount" of Vitamins A, C and E.

11 A. Yes.

12 Q. There are 25 percent Vitamins A and
13 E.

14 Do you consider 25 percent to be a
15 "significant amount" of Vitamins A and E?

16 A. No.

17 Q. Then why does your answer say that it
18 represented to be significant amounts of Vitamins
19 A --

20 A. Maybe I should have gone into more
21 detail; a hundred percent of Vitamin C, a hundred
22 percent is "significant" to me.

23 Q. And I know you didn't buy the product
24 because of the fruit content.

25 But what do you consider to be a

1 LAUREN HALL

2 "significant" percentage of fruit in the product?

3 A. In the product?

4 Q. Yeah. Or you never thought of it?

5 A. Well, I mean, if I want "significant"
6 fruit content, I'm going to give my kids fruit
7 and I give my kids fruit.

8 Q. Right.

9 A. So the reason the fruit appealed to
10 me is "made with real fruit" is the first
11 ingredient or whatever the claim is because it
12 appealed to me as something better than the
13 alternative. I never really thought about what a
14 "significant" fruit content in a fruit snack is.
15 But if someone is going to advertise more fruit
16 or "made with real fruit," it's going appeal to
17 me as a shopper.

18 Q. And I understand the representations
19 may have appealed to you. But I want to know
20 what representations were false and "deceptive."
21 It's all fine and good to say that the label says
22 it has real fruit and there's vitamins. But if
23 it has real fruit and there's vitamins, there's
24 nothing false or deceptive about it, is there?

25 A. I don't know if real fruit -- I mean,

Page 198

LAUREN HALL

okay.

Q. I'm asking you. I'm asking you to give your answer. If it says, "made with real fruit," and it says it has vitamins and it has real fruit and it has vitamins, there's nothing false or "deceptive," is it?

A. Maybe the way it's listed as an ingredient. I mean, before you had even said like a fruit concentrate or, you know, it's manufactured. You guys get it as a whole product. Should it be the first ingredient? There's, obviously, multiple ingredients in that product puree that you get.

Q. Whether the -- whether the fruit ingredients are listed separately or together, if they list five different fruit ingredients separately that are each 10 percent or list them altogether because it's total of 50 percent, isn't it still 50 percent?

A. If they list three different sugars at 10 percent, but it all equals more than 30 percent, shouldn't it be in a different order on the ingredient list?

Q. I'm not going to get into with you

Page 199

LAUREN HALL

what the FDA regulations acquire.

A. Good.

Q. We'll let the lawyers and the expert address those issues.

But I'm asking you as a layperson, if it's 50 percent fruit, whether that says "fruit puree" or lists grape puree then separated by peach puree separated by strawberry puree and they all adds up to 50, it's still 50, isn't it?

MR. ANSELL: Object to form. Especially, to the extent that you now don't want to talk about FDA regs, although they're before you. You brought out --

MR. SILVERMAN: Oh, if she wants to talk about FDA regs, please. I didn't know she was an expert.

Q. So if you want to talk about them, please do. Tell me everything you know about FDA regs.

I'm assuming you don't know anything about FDA regs, right?

A. No.

Q. Right. So I'm going to go back to the layperson question.

Page 200

LAUREN HALL

If it adds up to 50, does it make any difference whether it's listed as 10, 10, 10, 10, or 50, if it's still 50 percent fruit puree?

A. If the sugar adds up to 30, why are we listing it in three different ways? So that it's lower on the ingredient list.

Q. Thirty is less than fifty.

A. I'm just saying. You have a puree, which is a mixture of what you just said before. You don't know what the mixture is.

Q. No, I know --

A. Okay.

Q. I represent to you that I know the total of the mixture. And, again, I'm making up the number. But the total is 50. Just it's a -- it's a proprietary formula of the supplier and they tell us it's 50 and they tell us what is in it but don't know the exact percentages of each.

But does that matter to you?

MR. ANSELL: Objection.

Q. Does that percentage of grape versus peach versus strawberry, or is it okay as long as it has grape, peach and strawberry and it's more predominant than any other ingredient; isn't that

Page 201

LAUREN HALL

all that's important?

MR. ANSELL: Objection to form and point of clarification. Are we now saying that the puree is, in fact, 50 percent or is it still the hypothetical?

MR. SILVERMAN: It's a hypothetical.

MR. ANSELL: Okay.

A. Repeat the question.

Q. I couldn't even begin to...

(There is a discussion off the record.)

(Whereupon, the question is read back as follows:

"Question: Does that percentage of grape versus peach versus strawberry, or is it okay as long as it has grape, peach and strawberry and it's more predominant than any other ingredient; isn't that all that's important?")

A. There's two questions in there so...

Q. Okay. My question to you is, if the total is 50 hypothetically, does it matter to you whether that 50 is made up of 5 ingredient purees that are 10 each --

A. No.

Q. -- versus 20 and 5 and 7 and 12?

1 LAUREN HALL

2 A. No.

3 Q. Okay. As long as it has the fruits
4 listed on the ingredient list and that it's more
5 predominant than any other ingredient, that's
6 what's important to you?

7 A. Yes.

8 Q. Do you know what percentage of fruit
9 puree is in Welch's Fruit Snacks?

10 A. No.

11 Q. Do you know what percentage of fruit
12 juice concentrate was in it under the prior
13 formula?

14 A. No.

15 Q. So you don't know whether it's two
16 percent, 20 percent, 50 percent, you have no
17 idea?

18 A. No.

19 Q. And you didn't buy the product for
20 the fruit content, did you?

21 A. No.

22 Q. I'll show you another label. This is
23 the, I believe, the current label that's used on
24 the product.

25 (Deposition Exhibit Hall 21, color scan of

1 LAUREN HALL

2 Welch's 2016 label, was marked for
3 identification.)

4 Q. Have you ever seen Exhibit 21 or the
5 product that's being depicted by Exhibit 21?

6 A. Yes.

7 Q. Notice any differences between this
8 and the other -- the prior labels I showed you,
9 17, 18 and 20?

10 A. "Gluten free."

11 Q. What's that?

12 A. It says, "gluten free." I don't
13 know, is that different. "Fruit is our first
14 ingredient."

15 Q. That was also on 20?

16 A. No, I don't notice anything different
17 then.

18 MR. ANSELL: Do you have 20 out in
19 front?

20 A. No.

21 Q. "No" what?

22 A. I don't notice anything different.

23 Q. Okay. Take a look at Exhibit 3.

24 A. (The witness complies.)

25 Q. It's the Amended Complaint. And this

1 LAUREN HALL

2 was a document that was filed in June of 2017,
3 but you don't -- but you never saw it until this
4 morning, right?

5 A. I don't recall.

6 Q. Well, your testimony earlier was that
7 the first time you saw it was this morning; is
8 that accurate?

9 A. Again, I don't recall.

10 Q. Okay.

11 A. This exact document, I don't recall.

12 Q. Okay. Take a look at Paragraph 4.

13 A. (The witness complies.)

14 Q. It is says, "However, Defendant's
15 fruit snacks contain only minimal amounts of the
16 vibrantly depicted fruits and are no more
17 healthful than candy."

18 What is your basis saying that Welch's
19 "fruit snacks contain only minimal amounts of the
20 vibrantly depicted fruits?" Since you just
21 testified you had no idea what percentage of
22 fruit is in the product, what is your basis for
23 saying that?

24 A. I don't know.

25 Q. And what is your basis for saying

1 LAUREN HALL

2 that it's "no more healthful than candy?"

3 A. I don't know.

4 Q. You never saw this allegation before
5 today, did you, or did you even see it?

6 MR. ANSELL: Objection.

7 Q. Let me rephrase that.

8 A. No, I did. I just don't recall. But
9 I did. I mean, I have it. Yeah, I did. I did
10 see this. I don't know.

11 Q. You don't know when?

12 A. I don't know when.

13 Q. Well, you earlier testified that you
14 didn't see it until this morning with all the
15 pictures in it and you confused what you thought
16 you saw with the interrogatories --

17 A. Yes.

18 Q. -- and the interrogatories
19 responses --

20 A. Yes, I was confused. Yes, I was
21 confused.

22 Q. Right. And then I showed it to you.
23 You said, yeah, that this -- this document you
24 didn't see, this and the original complaint,
25 Exhibit 2, you didn't see until this morning or

Page 206

LAUREN HALL

one of them you saw this morning.

A. Right. I was confused. I'm sorry.

Q. Okay. So the one you saw this morning was either the original complaint or this complaint?

A. Yes.

Q. And you don't have any basis for saying it contains a minimal amount of vibrantly depicted fruits" and "no more healthful than candy," right?

A. I don't know.

Q. Have you compared Welch's Fruit Snacks to various candy products to see if -- how they compare?

A. No.

Q. And when you -- when -- I know you don't know what -- I don't even know what to say, since you don't know if that's your words or not.

But are you comparing Welch's Fruit Snacks to candy?

A. No. I mean, I don't buy candy that says "made with real fruit." I don't buy candy.

Q. So is it your belief that Welch's Fruit Snacks are, quote, "more healthful than

Page 207

LAUREN HALL

candy?"

A. No. I mean --

Q. So it's not "more healthful than candy?"

A. No. I don't know. I don't know. What candy? I mean--

Q. I'm asking you. This is your complaint that has your name on it that says, Lauren Hall versus Welch Foods and Promotion in Motion Companies and these are supposedly your allegations, despite the fact that you didn't see this complaint until about a year after it was filed.

I'm asking you what candy are you referring to when it says, "no more healthful than candy?"

A. Like a gummy bear, a sugar filled gummy bear.

Q. Okay.

A. No. Is it more healthful than there, no.

Q. Let's take a look at some gummy bears. Take a look at that and you compare them and you tell me whether it's your belief that...

Page 208

LAUREN HALL

MR. ANSELL: Objection. First of all, you said you're not a FDA specialist or an ingredient specialist. And now you're asking her to sit here for the first time and do a comparison between ingredient list. There is just absolutely no basis for her to testify to those sorts of conclusions.

MR. SILVERMAN: Let's give it a shot anyway.

Q. Take a look at the Haribo Gummi bears. It says, "gummi candy."

MR. ANSELL: Did you bring one for me?

MR. SILVERMAN: Nope.

MR. ANSELL: Well, how am I supposed to look at it?

MR. SILVERMAN: You can share. I didn't bring three of all the candy.

Q. Why don't you compare the ingredients, sugar content, calorie content and tell me if, in fact, Welch's Fruit Snacks are a better alternative than Haribo Gold Bears gummi candy?

MR. ANSELL: Objection. Again, she's

Page 209

LAUREN HALL

not qualified to make conclusions about the ingredients in a comparison that's just being put forth her between two different product labels.

MR. SILVERMAN: It was her allegation and she, specifically, said "gummy bears" when I asked her what I candy she was referring to.

A. Right.

MR. SILVERMAN: And so I'm showing her a gummy bear.

A. And when I was purchasing these for my kids, I wasn't in a candy aisle looking for candy. I was in a fruit snack aisle looking for snack options.

Q. Okay.

A. And this box appealed to me more than others because of what it said.

Q. Okay.

A. If I wanted to get gummy bears and candy for my kids, I would go down the candy aisle and get them candy.

Q. Whether you were going to buy it for them or not, that's not the question.

You said in your complaint that Welch's "Fruit Snacks are no more healthful than candy."

Page 210

LAUREN HALL

And when I asked you what candy, you said, "gummy bear."

So I'm asking you, isn't it, in fact, true when you look at Welch's Fruit Snacks and you look at the gummy bears that Welch's Fruit Snacks are, in fact, more healthful than Haribo Gold Bear gummi candy?

A. I don't know.

MR. ANSELL: Objection. Her testimony is not that they were "more healthful than Haribo" gold candy. So do you have every gummy bear here to compare?

MR. SILVERMAN: No, I don't.

MR. ANSELL: Okay.

MR. SILVERMAN: But at trial, I'll have enough of them that that will be satisfactory to the jury. I'm quite confident.

Q. Well, take a look at the ingredient list of the gummy bears.

A. (The witness complies.)

Q. What do the ingredients say?

A. "Glucose syrup, sugar, gelatin, dextrose, citric acid, cornstarch, artificial and natural flavors, palm kernel" -- do I have to

Page 211

LAUREN HALL

keep going?

Q. Yes.

A. Okay. (Continuing.) "Carnauba wax, white beeswax, yellow beeswax, Yellow 5, Red 40, Blue 1?"

Q. No fruit whatsoever, right, no fruit juice, no fruit puree, no fruit of any kind, right?

A. No.

Q. Right?

A. Right.

Q. And the sugars, 18 grams versus 11 grams in the Welch's Fruit Snacks, right, per serving?

A. Yes.

Q. Calories 140 versus 80, right?

A. Right.

MR. ANSELL: Objection. Can you testify as to -- is there any evidence as to how many pieces of the fruit snacks are in a pouch?

MR. SILVERMAN: I don't know the number. It's a serving size.

MR. ANSELL: Alright. Well, then it's not -- that's 17 pieces.

Page 212

LAUREN HALL

So how many pieces is in a pouch?

MR. SILVERMAN: Fifteen.

MR. ANSELL: I'd like to double count.

MR. SILVERMAN: I dropped.

MR. ANSELL: We have plenty.

MR. SILVERMAN: It's alright.

MR. ANSELL: I don't trust the math skill of any lawyer. Don't take it personally.

MR. SILVERMAN: Three, six -- no, see I dropped. There's only 12 here. I know I dropped some. Anyway, I'm not going to add up the number of fruit snacks. Oh, they're real good.

MR. ANSELL: They do taste good; twelve for the record.

MR. SILVERMAN: Twelve in that bag, okay.

MR. ANSELL: We can go through all of them.

MR. SILVERMAN: I'm not going to open every pack.

Q. So is it your testimony there is no fruit whatsoever in the Haribo product, right?

Page 213

LAUREN HALL

A. Right.

Q. Is it your testimony that Welch's Fruit Snacks is "no more healthful" than Haribo gummi candy?

A. I don't know.

Q. Well, when you say it's "no more healthful than candy," what candy are you referring to than it's "no more healthful than?"

A. I don't know.

Q. Twizzlers?

A. I don't know.

Q. Starburst?

A. I don't know. I...

Q. Skittles?

A. I don't know.

Q. Does Starbursts, Skittles and those are Twizzlers, do they have any fruit, to your knowledge?

A. I don't know.

Q. Okay. Take a look at some Skittles. Take a look at some Starbursts. Take a look at some Twizzlers. Take a look at those products and tell me if you think -- is it your testimony that Welch's Fruit Snacks is not a better

1 LAUREN HALL
2 alternative than Skittles, Twizzlers and
3 Starbursts?

4 MR. ANSELL: Again, objection. First
5 of all, it assumes facts not in evidence. Second
6 of all, Plaintiff is not an expert to testify as
7 to the ingredients or nutritional value of each
8 ingredient.

9 Q. You can answer.

10 A. I don't know.

11 Q. The sugar content is higher in all
12 three of these products than Welch's Fruit
13 Snacks, isn't it?

14 MR. ANSELL: Objection.

15 Q. And the calorie content is higher,
16 isn't it?

17 MR. ANSELL: Objection. You're not
18 doing -- as we already established with the prior
19 fruit snacks, you don't know the serving size of
20 each of these in comparison to the fruit snacks.

21 MR. SILVERMAN: It says the package
22 serving size one.

23 MR. ANSELL: So what weight of that?
24 How many pieces? You just --

25 MR. SILVERMAN: It says, serving size

1 LAUREN HALL
2 one. It's per serving. For example, the
3 Starbursts, 240 calories, 33 grams of
4 sugar. That's three times the calories and three
5 times the sugar as a serving of Welch's Fruit
6 Snacks, correct?

7 MR. ANSELL: And it's double the
8 grams per serving as the fruit snack. So you're
9 asking her to make a comparison where they're not
10 equal and you can't provide the appropriate
11 serving size to make the comparison.

12 Q. Starburst, take a look at the
13 ingredient list in Starbursts and tell me if I'm
14 reading it correctly.

15 Calories 240, grams of sugar 33 and total
16 fat 5 grams, is that accurate?

17 A. Yes.

18 Q. And that's for one serving, isn't it?

19 A. Yes.

20 Q. Welch's Fruit Snacks one serving,
21 80 calories, 0 fat and 11 grams of sugar,
22 correct?

23 A. Yes.

24 Q. And the Starbursts has no fruit and
25 the Welch's Fruit Snacks has fruit puree or prior

1 LAUREN HALL
2 to that it had fruit juice concentrate, correct?

3 A. Yes.

4 Q. Is it your -- are you telling us --
5 are you asking the jury to believe that it's your
6 view that Welch's Fruit Snacks is not a better
7 alternative to Starbursts?

8 A. Again, I mean, when I'm shopping for
9 fruit snacks, I'm not shopping for candy for my
10 kids.

11 So, if we're comparing all of these to
12 fruit snacks -- I mean, I bought it because it
13 looked like a "better alternative" to other items
14 similar on the shelf next to it.

15 Q. No. Your allegation in your
16 complaint is that it's "no more healthful than
17 candy." It doesn't say no more healthful than
18 alternative fruit snacks. So I'm asking you
19 about candy.

20 You identified "gummy bears." I asked you
21 about gummy bears.

22 Now I'm asking you about Skittles,
23 Starbursts and Twizzlers. We've already
24 established that Starbursts is three times the
25 calories, three times the sugars and has five

1 LAUREN HALL
2 grams of fat versus zero.

3 MR. ANSELL: Objection.

4 A. It's one candy.

5 MR. ANSELL: First of all, objection.
6 You're asserting facts not in evidence.
7 The serving size of the Starbucks -- of
8 the Starbursts is double that of --

9 MR. SILVERMAN: Please, please, make
10 that argument to the jury, please do that, that
11 the only difference is the serving -- is how many
12 pieces are in it. Please do that.

13 MR. ANSELL: I'm just saying you're
14 making an assertion here that isn't accurate.

15 MR. SILVERMAN: I'm going by serving
16 size.

17 MR. ANSELL: So, if you want to
18 testify, you should be accurate.

19 MR. SILVERMAN: I am. Serving
20 size -- let's look at the Skittles. Serving
21 size, one pack.

22 Q. Take a look at the Skittles.

23 MR. ANSELL: How many grams?

24 MR. SILVERMAN: She's the witness,
25 not you.

Page 218

LAUREN HALL

Q. Serving size 1, calories 250, correct?

A. Yep.

Q. That's more than three times the calories in a Welch's Fruit Snacks pouch, correct?

A. Yep.

Q. Sugars 40 -- what does that say, 46, 46 grams of sugar; is that correct?

A. Yeah.

Q. That's more than four times the sugars in Welch's Fruit Snacks, isn't it?

A. Yep.

Q. And 25 calories from fat versus 0 calories from fat in Welch's Fruit Snacks, correct?

A. Yep.

Q. Okay. Twizzlers, Twizzlers has 240 calories, correct, per serving?

A. Yes.

Q. Three times the amount of Welch's Fruit Snacks, right?

A. Yep.

Q. Sugars 30 grams, correct?

Page 219

LAUREN HALL

A. Yep.

Q. About three times, just a little less than three times the amount in Welch's Fruit Snacks, correct?

A. Yep.

Q. So I'll ask the question again since it's your allegation in your complaint that says it's "no more healthful than candy."

Is it your testimony that Welch's Fruit Snacks is no more healthful than Haribo gummi bears, Skittles, Twizzlers and Starbursts?

A. -- every --

MR. ANSELL: Objection, asked and answered. And it is also different than the original question asked, which was generic candy versus these specific items that you have chosen to present.

MR. SILVERMAN: Well, I asked her to define candy. She said Haribo -- she said, "gummy bears."

MR. ANSELL: No, she did not.

MR. SILVERMAN: She said, "gummy bears."

MR. ANSELL: Okay.

Page 220

LAUREN HALL

MR. SILVERMAN: So I pulled out a gummy bear.

MR. ANSELL: There are other gummy bears, are there not? There are other candy.

MR. SILVERMAN: Please go to trial with a gummy bear that's low calorie, low fat, low sugar gummy bear, please do that.

Q. So tell me what candy -- you're saying it's "no more healthful than candy."

Name another candy other than these that it's "no more healthful than."

A. When I go to the store to buy fruit snacks, this looked like a "better alternative" than other fruit snacks.

Q. And isn't it? Oh, so now you're saying it's a "better alternative" to other fruit snacks, not a better alternative --

A. It appealed to me.

Q. -- to other candy?

A. I don't know.

Q. Well, are Welch's Fruit Snacks more healthful than candy?

A. Is this every candy that was in that aisle?

Page 221

LAUREN HALL

Q. I will represent to you that these four candies are not every candy that's ever been made. You're right.

A. Then I don't know. I don't know.

Q. Well, name a candy --

MR. ANSELL: Objection.

Q. -- that is no more healthful than. Since I've shown you four that, I think, you would agree that Welch's Fruit Snacks is more healthful than these four, the gummy bear, the Starbursts, the Twizzlers and the Skittles.

Would you agree that it's more healthful than those four?

MR. ANSELL: Objection, asked and answered.

A. I don't know.

Q. You don't know based on what?

A. Based on --

Q. No fruit, three times, four times the sugar, three times the calories, some have fat, but you don't know whether they're more healthful or a "better alternative" --

MR. ANSELL: Objection, you're miss -- objection to your mischaracterization of facts

Page 222

1 LAUREN HALL

2 not even in evidence.

3 Q. So what's your basis for saying it's
4 "no more healthful than candy?"

5 A. I don't know.

6 Q. Okay. Let's go to Paragraph 8 of
7 your -- of the Amended Complaint and looking at
8 Exhibit 3/Paragraph 8. You say --

9 MR. ANSELL: Do you have it?

10 THE WITNESS: This one?

11 MR. ANSELL: Exhibit 3.

12 Q. Exhibit 3, the same thing we were
13 just looking at. I'm looking at Paragraph 8. It
14 says, "Thus although Defendants market their
15 fruit snacks as healthful and nutritious, these
16 products are devoid of the health benefits
17 Plaintiffs and other reasonable consumers
18 associate with consuming real fruit." Let's
19 break that down.20 Where does -- where do "Defendants market
21 their fruit snacks as healthful and nutritious?"22 A. There are certain sayings on the box
23 which leads you to believe that they're
24 "healthful and nutritious."

25 Q. So nowhere on the box anywhere front,

Page 223

1 LAUREN HALL

2 back, side, ever says "healthful and nutritious?"

3 A. No.

4 Q. And the marketing -- when you say
5 "Defendants market" them, you're talking about
6 the product itself, not television, radio,
7 newspaper --

8 A. Correct.

9 Q. -- et cetera?

10 A. Yes.

11 Q. So, based upon the box, it's implied
12 that it's "healthful and nutritious?"

13 A. Yes.

14 Q. And what do you mean by "healthful
15 and nutritious," what does that mean?

16 A. Fruits are healthfully for you.

17 Q. "Fruits" as in an apple, a peach, an
18 orange?

19 A. Yes.

20 Q. But you already have testified you
21 knew you weren't buying an apple, a peach --

22 A. Yeah.

23 Q. -- a piece of real fruit?

24 A. Yes.

25 Q. So how was that -- so what is

Page 224

1 LAUREN HALL

2 "healthful and nutritious?" You say this is
3 marketed as "healthful and nutritious."

4 A. Right.

5 Q. What do you mean by "healthful and
6 nutritious?"7 A. So if you have two products and one
8 says it contains a healthier ingredient, then
9 that's what it does. It says it contains real
10 fruit.

11 Q. Okay.

12 MR. ANSELL: So, dan, before you get
13 to the next question, I think it's time for a
14 break.15 MR. SILVERMAN: Okay. We've been
16 going less than an hour, but okay. Fine, we'll
17 take break.18 THE VIDEOGRAPHER: The time is
19 2:37 p.m. We're off the record.

20 (Recess taken 2:37 to 2:42 p.m.)

21 THE VIDEOGRAPHER: The time is
22 2:42 p.m. We're on the record.23 Q. I was remiss in asking you before the
24 break about the various candy products comparing
25 the calories and the sugars and the fat content.

Page 225

1 LAUREN HALL

2 None of those have vitamins, do they?

3 A. I don't know.

4 Q. Well, take a look at them.
5 Do any of them say they have vitamins?

6 A. On the packaging?

7 Q. Yes.

8 A. No.

9 Q. And your counsel had made a comment
10 that if there's other gummy bears than Haribo.
11 So this is your lucky day. I have another gummy
12 bear product to show you. Take a look at that
13 one and compare it to Haribo, if you want.14 This serving size is 14 pieces and it has
15 140 calories, 20 grams of sugar. So it,
16 actually, has higher calorie and higher sugar
17 content than the Haribo; is that correct?

18 A. Yes.

19 MR. ANSELL: For the record, the
20 serving weight is 40 grams.21 Q. And no vitamins in these Orchard
22 Snacks gummy bears either, right?

23 A. No.

24 Q. Is it your testimony that Welch's
25 Fruit Snacks are "no more healthful than" Orchard

Page 226

1 LAUREN HALL

2 Snacks gummy bear?

3 A. No.

4 Q. Is it your testimony that Welch's
5 Fruit Snacks is "no more healthful than"
6 Starbursts, Skittles, Twizzlers or Haribo Gold
7 Bear gummi candy?

8 MR. ANSELL: Objection, asked and
9 answered.

10 A. No.

11 MR. SILVERMAN: I'm going to mark as
12 exhibits -- what are we on 20?

13 THE STENOGRAPHER: Twenty-two.

14 MR. SILVERMAN: So I'm going to mark
15 all the candy as exhibits and we can just
16 photograph them. We'll make Haribo 22;
17 Starbursts 23; Skittles 24; Twizzlers 25 and the
18 Orchard Snacks gummy bears 26.

19 (Deposition Exhibit Hall 22, color scan of
20 Haribo Gold-Bears Gummi Candy (physical exhibit
21 retained by Silverman), was marked for
22 identification.)

23 (Deposition Exhibit Hall 23, color scan of
24 Starburst (physical exhibit retained by
25 Silverman), was marked for identification.)

Page 227

1 LAUREN HALL

2 (Deposition Exhibit Hall 24, color scan of
3 Skittles (physical exhibit retained by
4 Silverman), was marked for identification.)

5 (Deposition Exhibit Hall 25, color scan of
6 Twizzlers (physical exhibit retained by
7 Silverman), was marked for identification.)

8 (Deposition Exhibit Hall 26, Exhibit Hall
9 26color scan of Orchard Snacks Gummy Bears
10 (physical exhibit retained by Silverman), was
11 marked for identification.)

12 (There is a discussion off the record.)

13 Q. Okay. So let's go back to
14 Exhibit 23, the Starbursts, because your counsel
15 made some crack that they don't make any
16 "deceptive" claims.

17 Starbursts, is this a candy -- you
18 consider this a candy product?

19 A. Yes.

20 Q. It says, "Starbursts great fruit
21 taste! Real fruit juice! Cherry, orange,
22 strawberry and lemon, natural and artificial
23 flavors." And when you look at the ingredient
24 list, somewhere down the line it does have --
25 after listing corn syrup and sugar and other

Page 228

1 LAUREN HALL

2 nonfood ingredients, it says, "fruit juice from
3 concentrate."

4 So do you consider this label to be
5 "deceptive?"

6 A. I don't -- I never really thought of
7 it. I don't buy Starbursts.

8 Q. But now that you're looking at it, it
9 does say it does contain "real fruit juice?"

10 MR. ANSELL: Objection. You're
11 asking for her to make a legal conclusion. She
12 testified she doesn't buy Starbursts. She never
13 believed it to be a healthful alternative or have
14 deceptive claims so...

15 Q. Is there a difference between saying
16 "real fruit juice" versus saying "made with real
17 fruit?"

18 A. I haven't given it much thought. I
19 have -- you just put a Starbursts in front of me
20 for the first time so...

21 Q. I'm asking you now to give it
22 thought.

23 Is there a difference by saying it has
24 "real fruit juice" versus "made with real fruit?"

25 A. I can't give that answer right now.

Page 229

1 LAUREN HALL

2 Q. Well, this is really the only time
3 you're going to be given the opportunity to give
4 that answer.

5 A. I'm not here for Starbursts. But I
6 couldn't give that answer right now.

7 Q. Yeah, but I'm comparing labels
8 between the Welch's Fruit Snacks that says, "made
9 with real fruit." You're suing them because
10 somehow that label is false or "deceptive."

11 But you haven't given any thought as to
12 whether the Starbursts label that says "real
13 fruit juice" is false or "deceptive?"

14 A. I wasn't buying Starbursts. If there
15 were two Starbursts there and one said Starbursts
16 and one said Starbursts made with real fruit, I
17 would probably buy the one that said Starbursts
18 made with real fruit. But I wasn't buying
19 Starbursts.

20 Q. What about if it said Starburst real
21 fruit juice versus Starburst made with real
22 fruit, any difference between those two?

23 A. I couldn't answer that right now.

24 Q. Okay. Let's go back to Paragraph 8
25 of Exhibit 3. First sentence -- first part of

1 LAUREN HALL

2 that sentence we already asked -- we already went
3 over in talking about marketing the fruit snacks
4 as "healthful and nutritious."

5 And then it says, "These products are
6 devoid of the health benefits Plaintiff and other
7 reasonable consumers associate with consuming
8 real fruit."

9 Did you expect when you purchased Welch's
10 Fruit Snacks to be getting the same "health
11 benefits" as buying an apple or a peach or an
12 orange or a piece of whole fruit?

13 A. No.

14 Q. So is there anything misleading or
15 false about the Welch's product in that record?

16 A. Could you repeat that?

17 Q. You're saying the Welch's Fruit
18 Snacks is "devoid of the health benefits" that
19 you and other reasonable consumers associate with
20 consuming a piece of fruit, right? Is that what
21 you mean by saying "consuming real fruit," a
22 piece of fruit?

23 A. It says it's "made with real fruit."
24 It's not the equivalent to eating an apple.

25 Q. And you knew that when you bought it?

1 LAUREN HALL

2 A. Yes.

3 Q. So what is false or misleading about
4 the product given that you knew you weren't
5 buying whole fruit, you knew you weren't buying
6 something that had the same "health benefits" as
7 a piece of whole fruit? What's false and
8 misleading?

9 MR. ANSELL: Objection,
10 mischaracterization of the allegation. It
11 doesn't say a "whole fruit."

12 A. I'm sorry. Could you repeat the
13 question?

14 Q. When you say in this sentence, it's
15 "devoid of the health benefits Plaintiff and
16 other reasonable consumers associate with
17 consuming real fruit," do you mean a piece of
18 whole fruit; is that what you mean when you say
19 "real fruit?"

20 A. No.

21 Q. What do you mean?

22 A. I don't know; the real fruit part of
23 real fruit. If you ask me what's healthier, a
24 package of fruit snacks or an apple, I'm going to
25 tell you an apple.

1 LAUREN HALL

2 Q. And you knew that the entire seven
3 years you bought the product, didn't you?

4 A. Yeah.

5 Q. Okay. Paragraph 9, "The amount of
6 fruit in the fruit snacks has a material bearing
7 on price and consumer acceptance."

8 What is your basis for that statement?

9 A. I don't know.

10 Q. And you did not compare -- either
11 during the seven years you bought Welch's Fruit
12 Snacks or after, you never compared price of
13 Welch's Fruit Snacks to any other fruit snack
14 product or any other snack product at all, did
15 you?

16 A. I mean, I've seen the price
17 difference, but I don't -- I mean, it was never
18 the basis of my decision.

19 Q. But the only price difference that
20 you recall seeing is that Annie's cost a lot more
21 than Welch's Fruit Snacks, that was the only
22 other fruit snack that you purchased, right?

23 A. Yes.

24 Q. What do you recall paying for
25 Annie's?

1 LAUREN HALL

2 A. I don't. I, honestly, don't know. I
3 didn't buy it often.

4 Q. Isn't the five pack of Annie's about
5 5 bucks?

6 MR. ANSELL: Objection, assumes facts
7 not in evidence.

8 A. I don't know.

9 Q. You have no recollection? You just
10 know it cost more?

11 A. Yeah, I mean, I -- yes.

12 Q. So what is your basis for saying the
13 amount of fruit in the fruit snacks has a
14 material bearing on price and consumer
15 acceptance?

16 A. I don't know.

17 Q. Okay. Next sentence of Paragraph 9,
18 "Through the marketing, labeling and overall
19 appearance of the fruit snacks, Defendants create
20 the false impression that the fruit named and
21 depicted on the labeling is present in an amount
22 greater than is actually the case."

23 First of all, what "marketing" are you
24 referring to there?

25 A. "Made with real fruit," "no

1 LAUREN HALL

2 preservatives," vitamins.

3 Q. Are you talking about "marketing"
4 other than the label itself?

5 A. Then the box or the label.

6 Q. Well, you say, "the marketing,
7 labeling and overall appearance." So I want to
8 get the an --

9 A. Yes, the appearance.

10 Q. -- understanding whether you mean
11 some other marketing, print, radio?

12 A. No.

13 Q. Just the product itself?

14 A. Yes.

15 Q. So, based upon the product itself and
16 the appearance of it, "Defendant's create a false
17 impression that the fruit named and depicted on
18 the labeling is present in an amount greater than
19 is actually the case."

20 What is your basis for that statement?

21 A. Yes, the ingredients -- the first
22 ingredient is a mixture of purees and then it
23 should be listed separately per the ingredients
24 in that puree in order of the ingredients in the
25 product.

1 LAUREN HALL

2 Q. You've already testified that you
3 didn't -- you never bought the product for the
4 fruit content, correct?

5 A. For the actual -- have I sat there
6 with the percentage, no.

7 Q. Your testimony repeatedly has been, I
8 did not buy the product the first time or any
9 subsequent time for the fruit content; is that
10 correct?

11 A. Correct.

12 Q. Okay. And you don't know what
13 percentage is in it, correct?

14 A. Correct.

15 Q. Then how do you make the statement
16 without knowing what percentage of fruit is in
17 the product to say that there's a false
18 impression that the amount present is greater
19 than actually is the case?

20 A. I don't know.

21 Q. Look at Paragraph 11. "Defendants
22 have been able to convince consumers to buy their
23 products over similar snacks by deceiving
24 consumers."

25 What "similar snacks" are you referring

1 LAUREN HALL

2 to?

3 A. Other fruit snacks.

4 Q. And how have they deceived the
5 consumers to buy Welch's Fruit Snacks versus
6 other fruit snacks?

7 MR. ANSELL: Objection, asked and
8 answered about a million times.

9 Do you have anything to add?

10 THE WITNESS: No.

11 MR. SILVERMAN: Okay. But I'm asking
12 the questions, not you.

13 MR. ANSELL: Well, you've asked it a
14 million times.

15 MR. SILVERMAN: Okay. Well, I'm now
16 going through her allegations in the Complaint
17 that shockingly she never saw until this morning
18 a year after it was filed.

19 A. Not true.

20 Q. Well, the record will speak for
21 itself up ten times.

22 How have they -- how has Welch's Fruit
23 Snacks -- how have Defendants convinced consumers
24 to buy their products over similar snacks --
25 similar fruit snacks by deceiving them, how have

1 LAUREN HALL

2 they done that?

3 A. Advertising on the box. I mean,
4 they're -- I mean...

5 Q. Versus what like Mott's, the one that
6 says, "made with real fruit and veggie juice 100%
7 Vitamin C"; is that the one --

8 A. Again, I don't know if that was there
9 eight years ago. I don't know if that was the
10 box that was there eight years ago. But the box
11 with the Welch's with the real fruit and vitamins
12 and everything appealed to me as a consumer.

13 Q. How about Annie's, was it --

14 A. I don't know if Annie's was out eight
15 years ago.

16 Q. Okay. Let's just assume it was.

17 A. Okay.

18 Q. Well, so you bought it at some point.

19 A. Right. I didn't --

20 Q. You bought --

21 A. -- buy eight years ago --

22 (There is a discussion off the record.)

23 Q. It was out. At some point during the
24 seven years you purchased it, you said you bought
25 it on about a dozen occasions.

Page 238

LAUREN HALL

So how is Welch's Fruit Snacks convincing consumers to buy their product over Annie's by deceiving consumers?

A. Certain advertising clauses, like I just said, "made with real fruit."

Q. Annie's says, "made with real fruit and vegetable juice." And then it says, "natural strawberry, raspberry and orange flavors," in the front and then it says, made -- again, it says in two places in the front, "made with real fruit juice and vegetable juice, no artificial flavors, synthetic colors or preservatives," and then you go back in the ingredient list and it says, "Tapioca syrup, cane sugar," and then it says, pear juice concentrate and vegetable juice."

So is the Welch's "deceptive" compared to Annie's?

A. I don't know.

Q. And you don't know how it was "deceptive" compared to Mott's either, right?

A. I don't know.

Q. How about versus Black Forest Juicy Center Fruit Medleys, take a look at that one and tell me if that's one "deceptive."

Page 239

LAUREN HALL

MR. ANSELL: Objection, again.

You're asking her to testify as to facts not in evidence and this box was not available to her at the time that she was making the purchases.

A. I've never seen that box.

Q. Okay. Well, I'm asking about Black Forest Fruit Flavored Snack Juicy Centered Fruit Medleys. It has a picture of a grape, the word "grape, apple, lemon, cherry," "made with real fruit juice" on the front and then you go to the panel, "corn syrup, sugar, apple juice concentrate, gelatin, modified food starch." Those are the first five ingredients and then it says, "mixed fruit."

Anything misleading about the Black Forest?

MR. ANSELL: Objection, assumes facts not in evidence.

A. I don't know.

MR. SILVERMAN: Let's mark that as the next exhibit.

(Deposition Exhibit Hall 27, Color scan of Black Forest Juicy Center Fruity Medleys (physical exhibit retained by Silverman), was

Page 240

LAUREN HALL

marked for identification.)

(There is a discussion off the record.)

Q. Okay. Let's look at the next one, Simply Truth Organic Fruit Flavored Snacks, "contains 100% percent daily value of Vitamin C per serving." It's got various pictures of fruit on the front. It says, "grape, cherry, apple and strawberry."

Have you ever seen that one before?

MR. ANSELL: Object to the extent that it assumes facts not in evidence.

A. No.

MR. SILVERMAN: I'm going to mark that as the next exhibit.

MR. ANSELL: I hope you are going to have time to copy all these.

MR. SILVERMAN: We'll have the reporter do it. She can take them with her. It will save me lugging it back, if need be.

(Deposition Exhibit Hall 28, color scan Simple Truth Organic Fruit Flavored Snacks (physical exhibit retained by Silverman), was marked for identification.)

Q. Ingredients on this one, "organic

Page 241

LAUREN HALL

Tapioca syrup, organic cane sugar, organic Tapioca, Maltodextrin," and then you got "organic apple juice concentrate, pectin," et cetera.

Another fruit snack product, right, a competitor of Welch's?

A. Yes.

Q. Okay. Let's go to Go Organically Fruit Snacks that says, "100% percent Vitamin C per serving, excellent source of vitamins A and E. Made with real fruit." With the ingredients, "organic cane sugar, organic Tapioca syrup," as the first two ingredients.

Is that a competitor of Welch's Fruit Snacks?

A. Yes.

MR. SILVERMAN: We'll mark that as the next one.

(Deposition Exhibit Hall 29, color scan of Go Organically Fruit Snacks (physical exhibit retained by Silverman), was marked for identification.)

Q. Next one is O Organics, "Organic fruit snacks mixed berry, flavored fruit snacks with other natural flavors." And the ingredients

1 LAUREN HALL

2 have -- this one has "puree" as the first
3 ingredient.

4 Have you ever seen that one? That one I
5 know, at least, currently sold at Acme.

6 A. Right. But I don't know if any of
7 these -- I mean, some of these I haven't seen. I
8 don't know if some of these were available when I
9 was purchasing fruit snacks.

10 Q. That one cost for a pack of -- what
11 is that a six pack? I purchased it last night
12 for \$3.49 for a six pack versus the Welch's Fruit
13 Snacks I purchased last night for a 1.99 for a
14 ten pack. So --

15 MR. ANSELL: Objection, assumes facts
16 not in evidence.

17 MR. SILVERMAN: Okay.

18 Q. Have you ever priced that product?

19 A. No.

20 Q. You don't know that it cost more than
21 Welch's Fruit Snacks?

22 A. No.

23 Q. And then I'm going to mark as
24 Exhibits 30 to 34.

25 MR. SILVERMAN: We on 30?

1 LAUREN HALL

2 THE STENOGRAPHER: Thirty.

3 Q. I've got Hello Kitty, Shimmer and
4 Shine, Scooby-Doo, and Sponge Bob.

5 MR. ANSELL: I'm going to object to
6 this entire line of questioning now. It's going
7 solely for the purpose of harassing the client.
8 It in no way represents the entirety of the
9 similar fruit snacks and is merely a choosing of
10 Plaintiff's counsel as to what products he picked
11 out and brought here today to harass the client
12 with.

13 MR. SILVERMAN: I'm defense counsel
14 and I can represent to you that I bought
15 virtually every single thing on the shelf.

16 MR. ANSELL: In the entire fruit
17 snack category?

18 MR. SILVERMAN: Yep, bought almost
19 every single they had.

20 MR. ANSELL: Where?

21 MR. SILVERMAN: At two stores in
22 California and at the Acme store last night that
23 she purchased her product for seven years.

24 MR. ANSELL: And so that's every
25 fruit snack --

1 LAUREN HALL

2 MR. SILVERMAN: Virtually every
3 single one.

4 MR. ANSELL: -- competitor possible?

5 MR. SILVERMAN: Virtually every
6 single one. And you please do your --

7 MR. ANSELL: We will.

8 MR. SILVERMAN: Go do what you need
9 to do to find something else. But I've now shown
10 about a dozen different varieties. In fact, the
11 witness earlier testified that the product was
12 sold on five shelves and about a dozen varieties
13 and I think I'm showing about a dozen varieties
14 so...

15 Pardon the pun, but I didn't cherry pick.
16 I picked every on. And every single one of these
17 cost as much if not more than Welch's Fruit
18 Snacks.

19 But let's mark them and then ask about
20 them.

21 (Deposition Exhibit Hall 30, color scan of
22 Hello Kitty Fruit Flavored Snacks (physical
23 exhibit retained by Silverman), was marked for
24 identification.)

25 (Deposition Exhibit Hall 31, color scan of

1 LAUREN HALL

2 Shimmer and Shine Fruit Flavored Snacks (physical
3 exhibit retained by Silverman), was marked for
4 identification.)

5 (Deposition Exhibit Hall 32, color scan of
6 Scooby-Doo! Fruit Flavored Snacks (physical
7 exhibit retained by Silverman), was marked for
8 identification.)

9 (Deposition Exhibit Hall 33, color scan of
10 Sponge Bob Square Pants Fruit Flavored Snacks
11 (physical exhibit retained by Silverman), was
12 marked for identification.)

13 Q. Take a look at Exhibits 30 through
14 34; Hello Kitty, Shimmer and Shine, Sponge Bob
15 and Scooby-Doo.

16 Would you agree that these are all fruit
17 snacks?

18 A. Yep.

19 Q. And these are targeted for children,
20 aren't they?

21 A. Yep.

22 Q. Welch's Fruit Snacks is not targeted
23 to children, correct?

24 A. Correct.

25 Q. And the top two, the Hello Kitty and

1 LAUREN HALL

2 Shimmer and Shine, those -- would it be fair to
3 say that those are probably more directed towards
4 girls?

5 A. Yes.

6 Q. And Scooby-Doo and the Sponge Bob
7 might be more directed towards boys?

8 A. Yes.

9 Q. Have your kids ever shopped with you
10 in the store and been attracted to advertisement
11 like this?

12 A. Yes.

13 Q. Have they ever asked you to buy one
14 of these products?

15 A. No.

16 Q. So you have no issue with Welch's
17 Fruit Snacks in terms of its targeting of
18 children, right?

19 A. No.

20 Q. Did you find anything false or
21 "deceptive" about any of these children targeted
22 fruit snacks products?

23 A. At the time that I was shopping, I
24 don't know if they were on the shelf. I don't
25 know if their packages looked like that. That

1 LAUREN HALL

2 would be a hard question for me to ask -- to
3 answer.

4 Q. Well, you're looking at them now.
5 Is there anything false or "deceptive"
6 about these products?

7 MR. ANSELL: Object. It assumes
8 facts not in evidence.

9 A. I don't know.

10 Q. Can I have -- give me anyone of them.
11 I don't care.

12 Sponge Bob, it says, "excellent source of
13 Vitamin C, assorted fruit flavors, fruit flavor
14 snack," isn't that intended to imply that this
15 product has fruit?

16 A. I don't know.

17 MR. SILVERMAN: Are we blocking you
18 now that we've got literally --

19 THE VIDEOGRAPHER: You're not
20 blocking me. They're in the frame. They're part
21 of the frame.

22 MR. SILVERMAN: Well, let's put these
23 down.

24 Q. Okay. Let's look at paragraph --
25 strike that.

1 LAUREN HALL

2 Paragraph 15 of your complaint,
3 Exhibit 3. "Plaintiff wished to purchase healthy
4 snacks for her family."

5 And when you say your family, you're
6 referring to your kids?

7 A. Yes.

8 Q. And what do you mean by "healthy
9 snacks?"

10 A. Snacks that have some nutritional
11 value, to the best of my ability, that's not
12 complete junk.

13 Q. And doesn't -- don't Welch's Fruit
14 Snacks have some nutritional value?

15 A. I don't know.

16 Q. It has Vitamin A, C and E and it has
17 "fruit puree" or "fruit juice concentrate,"
18 right?

19 A. Yes.

20 Q. Doesn't that have nutritional value?

21 A. I don't know.

22 Q. It next says, "When Plaintiffs saw
23 Defendants' misrepresentations prior to and at
24 the time of purchase, she relied on Defendants'
25 representations and claimed that the fruit snacks

1 LAUREN HALL

2 contained significant amounts of the actual fruit
3 Defendants emphasized in the marketing and on the
4 labeling of the products were nutritious and
5 healthful and were more healthful than similar
6 products." So let's break that down.

7 You say that Defendant made
8 representations about the fruit snacks containing
9 significant amounts of the actual fruit
10 emphasized in the marketing and on the labeling.

11 What "emphasis of significant amounts of
12 actual fruit?"

13 A. It says, "made with real fruit."

14 Q. But you don't know what a
15 "significant" amount is?

16 A. I don't know.

17 Q. You didn't buy it for fruit content,
18 right?

19 A. Right.

20 Q. And you don't know what a
21 "significant" amount is?

22 A. No.

23 Q. And you don't know whether Welch's
24 Fruit Snacks didn't have a "significant" amount
25 of the actual fruit?

1 LAUREN HALL

2 A. I don't know.

3 Q. And you say that there were
4 representations that the product was "nutritious
5 and healthful and were more healthful than
6 similar products."

7 And when you say "similar products,"
8 you're referring to other fruit snacks products,
9 right?

10 A. Yes.

11 Q. The whole panoply that's on the
12 table, there's about a dozen alternative fruit
13 snacks products --

14 MR. ANSELL: Objection to your
15 characterization of the entire realm of "similar
16 products" --

17 MR. SILVERMAN: The realm --

18 MR. ANSELL: -- that's being
19 represented solely here on this table.

20 Q. The ones on the table, the dozen or
21 so alternative fruit snack products on this
22 table, are the -- at least, a subset of what
23 you're referring to when you say, "similar
24 products," right?

25 MR. ANSELL: Objection, as well as

1 LAUREN HALL

2 these fruit snacks were just purchased and do not
3 represent the fruit snacks that were available
4 beginning eight years ago up until the date that
5 this complaint was filed.

6 MR. SILVERMAN: I didn't say they
7 were just bought. These products have been
8 bought -- some of them were bought last night,
9 some of them were bought about a year ago, some
10 of them were bought before then.

11 The original lawsuit, as you well know,
12 was filed two and a half years ago. So these
13 purchases have been over time including during
14 the time this witness bought them.

15 So anyway --

16 MR. ANSELL: Your characterization is
17 not accurate so --

18 Q. My characterization is, when you say,
19 "similar products," you're referring to other
20 fruit snacks products, right?

21 A. Right.

22 Q. You're not talking about cookies and
23 goldfish and crackers and fruit, you know, pieces
24 of fruit, you're talking about fruit snack
25 products, right?

1 LAUREN HALL

2 A. Yeah.

3 Q. And what is not true -- well, you say
4 that -- let me strike that.

5 "The emphasis and the marketing and
6 labeling was that the product was more healthful
7 than alternative fruit snack products," correct?

8 A. Yes.

9 Q. What's your basis for saying that's
10 not true?

11 A. The "emphasis" was more on that box
12 and more appealing as a consumer than on the
13 other boxes.

14 Q. Well, other than the O Organic's
15 products that actually does have -- I think, it's
16 the O Organics product -- that actually does have
17 fruit puree as the first ingredient, every single
18 other one has corn syrup and sugar as the first
19 ingredient and has no fruit in them or minimal
20 fruit of them because they're down in the
21 ingredient label. Most if not all of them don't
22 have Vitamins A and E and some don't even have
23 Vitamin C.

24 So what is your basis for saying it's not
25 more healthful than the fruit snacks that are on

1 LAUREN HALL

2 the table?

3 MR. ANSELL: Objection, assumes facts
4 in evidence and your testimony as to what or what
5 is not represented in a variety of fruit snacks
6 that are on this table and not necessarily anyway
7 related to the fruit snacks comparable at the
8 time that the purchases were made.

9 A. I relied on my counsel.

10 Q. So you don't know whether, in fact,
11 Welch's fruit snacks are not more healthful than
12 all the other fruit snacks on the market?

13 A. I relied on my counsel.

14 Q. So the answer is you don't know,
15 right?

16 A. My answer was, I rely on my answer.

17 Q. Okay. And I'm asking do you know or
18 do you not know, yes or no?

19 MR. ANSELL: Objection, asked and
20 answered.

21 A. Can I not say I relied on my counsel?
22 Am I not allowed to say that?

23 Q. You can say it, but that's not
24 answering my question.

25 I'm asking you -- I mean, it's implying

LAUREN HALL

that you don't know. But I want to know whether you know.

Do you know whether Welch's Fruit Snacks are more healthful than alternative fruit snack products?

A. No.

Q. Okay. Take a look at Paragraph 50 of your complaint, the Amended Complaint, Exhibit 3.

A. (The witness complies.)

Q. It says, "In addition to Defendants' marketing and labeling deceived Plaintiffs and other reasonable consumers and caused them to believe that these vitamins are present in the fruit snacks due to the product's fruit content. Unfortunately, for consumers, the synthetic vitamins that Defendants add to the fruit snacks do not provide the same health benefits as vitamins obtained by eating fruit."

First of all, what is your basis for saying that there's "synthetic vitamins?"

A. Well, if they're not real fruit in it, then they're not real vitamins. Is that where the vitamins contents is fruits come from, the real fruit that's advertised on that box?

LAUREN HALL

Q. There's "fruit puree" and previously there was "fruit juice concentrate."

Do you know whether any of the vitamins that are -- the Vitamins A, E and C whether any of those vitamins come from the "fruit puree" or "fruit juice concentrate?"

A. I don't know.

Q. And you then say, "These synthetic vitamins don't provide the same health benefits as vitamins obtained when eating fruit."

What is your basis for saying that?

A. Isn't real fruit better than "fruit puree" and "concentrate?"

Q. I'm asking, specifically, about the vitamins.

Does the body know the difference between vitamins from a whole fruit versus vitamins that are added, do you know?

A. I don't know.

Q. And I'm assuming you -- I already asked you earlier about Dr. Pegg and you never heard of him?

A. No.

Q. So you don't know that he provided an

LAUREN HALL

expert opinion that the body doesn't know the difference and whether the fruit -- whether the vitamins come from the fruit itself or whether it comes from vitamin enrichment that's added later, they have the same health benefits, you weren't aware of that, right?

A. No.

Q. Paragraph 51. It says, "In short, vitamins are illegally added to the products. Fruit is not their first ingredient and the minimal fruit like ingredient in the product bear very little resemblance to real fruit."

What is your basis for saying that the "vitamins are illegally added?"

MR. ANSELL: Objection, calls for a legal conclusion.

You can answer.

A. I relied on my counsel for that.

Q. So you don't know?

A. I relied on my counsel for that.

Q. So you don't know?

A. No.

Q. And what is your basis for saying fruit is not the first ingredient?

LAUREN HALL

A. Because it's "fruit puree" and fruit "concentrate" or whatever, fruit juice. Fruit is not the first ingredient.

Q. Because "fruit puree" and fruit juice aren't fruit?

A. I don't know.

Q. And then you say, "The minimal fruit like ingredients in the products bear very little resemblance to real fruit."

What do you mean by "minimal fruit like ingredients," what does that mean?

A. Just what I said, puree, concentrate juice.

Q. But you don't have any idea what percentage of fruit juice concentrate --

A. No.

Q. -- or fruit puree --

A. No.

Q. -- were in the product?

A. No.

MR. ANSELL: Let's make sure that he finishes his answer before you answer.

A. Sorry.

Q. And what do you mean by saying that,

1 LAUREN HALL

2 "these minimal fruit like ingredients bear very
3 little resemblance to real fruit?"

4 A. I don't know.

5 Q. I asked you earlier about proof of
6 purchase, whether you have any proof of buying
7 the product.

8 You said you have no receipts, you have no
9 packaging, right?

10 A. No.

11 Q. You told me to go look at your Acme
12 or A&P loyalty card history, right?

13 A. Yes.

14 Q. Are you aware that one of the 64
15 document requests that I asked you for was proof
16 of purchase?

17 A. No.

18 Q. And that's because you never saw the
19 requests or your responses to the document
20 requests until I showed them to you this morning,
21 right?

22 A. That's not true.

23 Q. What's that?

24 A. That's not true.

25 Q. When did you see the document request

1 LAUREN HALL

2 or the responses?

3 A. I don't know.

4 Q. Were you asked to gather documents?

5 A. I don't know.

6 Q. You don't know?

7 THE WITNESS: Can I take a break?

8 MR. ANSELL: I believe there is a
9 question pending, but once you answer it, we can
10 take a break.

11 A. I don't know.

12 Q. Okay.

13 THE VIDEOGRAPHER: The time is
14 3:19 p.m. and we're off the record.

15 (Recess taken 3:19 to 3:25 p.m.)

16 (Deposition Exhibit Hall 34, color scan of
17 O Organics Fruit Snacks Mixed Berry (physical
18 exhibit retained by Silverman), was marked for
19 identification.)

20 THE VIDEOGRAPHER: The time is
21 3:26 p.m. We're on the record.

22 Q. Ms. Hall, if you could take a look at
23 Paragraph 12 of your -- f the Amended Complaint,
24 Exhibit 3.

25 A. (The witness complies.)

1 LAUREN HALL

2 Q. It says, Defendants' depictions --
3 I'm sorry. "Defendants' deceptions plays a
4 substantial part in influencing Plaintiff's
5 decision to purchase the fruit snacks."

6 What "deceptions?"

7 MR. ANSELL: Objection, asked and
8 answered a thousand times, including this
9 specific allegation.

10 Q. What "deceptions?"

11 A. The advertising on the box as a
12 consumer led me to purchase that over other
13 options at the time.

14 Q. Specifically, what "deceptions" on
15 the box?

16 A. "Made with real fruit," vitamins, "no
17 preservatives."

18 Q. Anything else?

19 A. No.

20 Q. Then you say, "These representations
21 caused you to form your belief that the fruit
22 snacks were a more healthful alternative to other
23 sweet snacks."

24 What do you mean by "other sweet snacks?"

25 A. Other fruit snacks.

1 LAUREN HALL

2 Q. So, not other sweet snacks like candy
3 or cookies or something like that?

4 A. No.

5 Q. You next say, "If Plaintiff had known
6 the true fruit snack content."

7 Okay. What is "the true fruit content?"

8 A. I don't know.

9 Q. So, since you don't know what "the
10 true fruit content" is, how do you know that --
11 had you known it, it would have affected you?

12 A. I do not know.

13 Q. For all you know, the product has
14 90 percent fruit.

15 What if it had 90 percent fruit, would
16 that be "deceptive" to you, less than you would
17 have expected?

18 A. I don't know.

19 Q. How about 50 percent?

20 A. I don't know.

21 Q. How about 30 percent?

22 A. I don't know.

23 Q. If you were to find out sitting here
24 today that the product has 30 percent fruit puree
25 -- I'm just making up numbers.

Page 262

1 LAUREN HALL

2 But if it had 30 percent fruit puree,
3 would that be a significant percentage to you?

4 MR. ANSELL: Objection, assumes facts
5 not in evidence.

6 A. I don't know.

7 Q. Then what do you mean when you say,
8 "if Plaintiff had known the true fruit snack
9 content?"

10 A. I don't know.

11 Q. It says, "If Plaintiff had known the
12 true fruit content, she would not have purchased
13 the fruit snacks."

14 A. I don't know.

15 Q. But you don't know what "the true
16 fruit content" is, so how can you say you
17 wouldn't have bought it had you known the true
18 fruit content?

19 A. I don't know.

20 Q. And you did not review this complaint
21 before it was filed in 2017, did you?

22 A. I have seen this complaint.

23 Q. This morning?

24 A. I was confused.

25 No, I have recollection of seeing -- this

Page 263

1 LAUREN HALL

2 morning you put 11 legal documents in front of
3 me.

4 Q. One at a time.

5 A. I'm not an attorney. I don't look at
6 these all the time. So I was confused this
7 morning.

8 Q. Well, when I showed it to you this
9 morning, you said you had not seen the documents
10 that had all the pictures, Paragraph 11 --
11 Page 11 has pictures, Page 12 has pictures,
12 Page 13 has pictures.

13 You said you hadn't seen that document,
14 the one with pictures, which was the complaint
15 until this morning.

16 A. I was confused.

17 Q. So you did see this document with
18 pictures before today?

19 A. Yes, at some point, yes. I don't
20 recall when.

21 Q. If you had known about all these
22 "deceptions" about Welch's Fruit Snacks, would
23 you have bought a different fruit snack product
24 instead?

25 A. I don't know.

Page 264

1 LAUREN HALL

2 Q. Would you have bought Welch's Fruit
3 Snacks but for less amount of money?

4 A. No.

5 Q. You just wouldn't have bought it at
6 all?

7 A. Probably, no.

8 Q. So what would you have had to know
9 about Welch's Fruit Snacks to cause you not to
10 buy the product? What was it that you learned at
11 some point that made you say, you know what, I'm
12 not buying this product anymore?

13 A. I don't know. I mean, I just at the
14 time I bought it. The advertising seemed like a
15 better alternative to what else was on the shelf.
16 I try not to feed my kids fruit snacks anymore;
17 especially, those. But it appealed to me to be a
18 better option.

19 Q. But you over the course of time were,
20 as you say, making what, better choices,
21 healthier options? What were you doing over the
22 course of time?

23 A. Yeah.

24 Q. So there was nothing that you learned
25 about the fruit snacks that caused you to not buy

Page 265

1 LAUREN HALL

2 it anymore, it was just your lifestyle had
3 changed --

4 A. Not necessarily.

5 Q. -- you had four kids instead of one?

6 A. No. I mean, when I was buying snacks
7 for my kids, that advertised to me as a healthier
8 option than the other fruit snacks there. That's
9 why I bought them.

10 Q. Right. But then you were buying them
11 at the time you met with your friend Melanie and
12 then you never bought them again after you had
13 your few second conversation with Melanie and the
14 only thing Melanie said to you, was this product
15 had sugar, was something you had already knew
16 because you had looked at the ingredient list and
17 you saw the front panel that said 11 grams of
18 sugar, right?

19 MR. ANSELL: Objection,
20 mischaracterizes her testimony.

21 A. I don't know.

22 Q. Well, when did you learn that of
23 these alleged "deceptions" about the Welch's
24 Fruit Snacks?

25 A. Through my counsel.

Page 266

LAUREN HALL

Q. But you had already stopped buying the product before meeting with counsel or speaking with counsel, correct?

A. I don't really recall. Around -- yeah, I don't really recall.

Q. Well, you never bought the product after you met -- after you spoke with Melanie on that one occasion, right?

A. I never said I "never bought the product" after I spoke with Melanie.

Q. Well, you did buy Welch's fruit snacks --

A. I don't know when the last time I bought the Welch's Fruit Snacks was. If you would like me to go get my records, sure. I don't -- I mean --

Q. Unless you can remember -- unless you have a calendar --

A. I did. I told you earlier one to two years ago.

Q. Right. And you said you met with -- you had that discussion with Melanie one to two years ago and your previous testimony --

A. But I never said the day I spoke with

Page 267

LAUREN HALL

her I stopped. I never said that.

Q. You said you didn't buy it after you spoke with her.

A. I don't know.

Q. And you were buying it when you spoke with her, right?

A. I don't recall.

Q. Do you believe that Welch's charges a price premium? You know what that term means?

A. I do.

Q. Do you believe they charge a price premium?

A. I don't know. I never really thought about it.

Q. And I think we've discussed before, but you don't know whether Welch's Fruit Snacks cost more than any other fruit snacks product, do you?

MR. ANSELL: Objection, asked and answered.

A. I think I answered that question earlier.

Q. What was your answer?

A. That sometimes they may cost more,

Page 268

LAUREN HALL

sometimes they may cost less.

Q. Do you have any proof that they ever cost more than any other fruit snacks product?

A. No.

Q. Now, after you spoke with Melanie or at anytime, quite frankly, did you ever seek a refund of any of your purchases of Welch's Fruit Snacks?

A. No.

Q. Did you ever call Promotion in Motion?

A. No.

Q. Did you ever call Welch's?

A. No.

Q. You see there is 1-800 number on -- why is that the one box that's missing?

MR. ANSELL: You took it away. (There is a discussion off the record.)

Q. So you see there is a 1-800 number. It says, customer -- it says -- consumer -- I don't know if I'm memorizing it.

Does it say consumer questions or comments?

A. Yes.

Page 269

LAUREN HALL

Q. There's an 800 number?

A. Yes.

Q. Did you ever call it?

A. No.

Q. Why not?

A. Cause I have a full-time job and four kids.

Q. Wouldn't it have been faster to call them and ask for a refund or call them to complain rather than sit here for eight hours?

A. I didn't know it was an option. This is the first I'm seeing it.

Q. First time you seeing you had an 800 option to call?

A. I never noticed it before.

Q. You're aware there is a website, Promotion in Motion and Welch's each have websites, right?

A. I'm sure they do.

Q. But --

A. I was never on their website.

Q. Never picked up the phone to request a refund, to complain, to comment about the product?

Page 270

LAUREN HALL

MR. ANSELL: Objection, asked and answered.

A. No.

Q. Never wrote a letter?

A. No.

Q. Did you ever go on either Welch's or Promotion in Motion's website?

A. No.

Q. Did you contact anyone other than your attorney about this lawsuit, other than -- well, you said you told your husband about it last week and Melanie doesn't know anything about it.

So, other than your lawyers, have you spoken with anybody about this lawsuit --

A. No.

Q. -- other than mentioning to your husband that you were coming here today?

A. Nope.

Q. And you would agree that there were some benefits from consuming the product in terms of calories and alike, correct, some nutritious benefits from Welch's fruit snacks, correct?

MR. ANSELL: Object to form.

Page 271

LAUREN HALL

A. I don't -- no.

Q. No benefit at all?

A. It was a snack that I gave my child.

Q. Okay. So it had calories?

A. Yes.

Q. And it provided -- it satisfied their hunger?

A. Yes.

Q. They liked it, right?

A. Yes.

Q. You bought it 350 times, right?

A. Yes.

Q. And there are benefits from vitamins, correct?

A. Yes.

Q. Specifically, there's benefits from Vitamins A, C and E, correct?

A. Yep.

Q. Are you asking by this lawsuit for a full refund of your purchases?

A. I don't know.

Q. Well what are you asking for? You filed a lawsuit. What are you asking for?

A. Ah, yes.

Page 272

LAUREN HALL

Q. You want all your money back for all 350 purchases for all seven years?

A. Yes.

Q. And do you think everybody who purchased Welch's Fruit Snacks should get a full refund?

A. I don't know.

Q. Well, what about somebody who enjoyed the product?

MR. ANSELL: Objection to form.

Q. Should they get a full refund?

A. I don't know.

Q. How about somebody who doesn't believe they were deceived or harmed, should they get a full refund?

A. I don't know.

Q. You understand that this lawsuit -- it's what's called a punitive class representative, which means that you're acting on behalf of other people who bought Welch's Fruit Snacks?

A. Yes.

Q. So I'm asking you whether you think the people that you're representing or purporting

Page 273

LAUREN HALL

to represent -- you say you think you should get a full refund.

I'm asking you whether every single person who purchased the product should get a full refund?

A. Yes.

Q. Even if they wrote to Welch's or Promotion in Motion saying, I love your product, this is great, they should get a full refund?

A. I don't know.

Q. What about somebody who said that's completely satisfied with the product, should they get a full refund?

A. I don't know.

Q. And despite the fact that the product provided vitamins and fruit juice concentrate and puree and calories and satisfied your kids' hunger, you want all your money back for all 350 purchases; is that right?

A. I don't know.

Q. You don't know?

A. Yes.

Q. "Yes," what?

A. Can you ask the question again?

Page 274

1 LAUREN HALL

2 Q. Despite the fact that you've
3 testified that the product contains calories,
4 satisfied your kids' hunger, contains Vitamins A,
5 C, E, has fruit juice concentrate, has fruit
6 puree, had caloric value, you're saying despite
7 the fact that it provided all that, you're
8 entitled to a full refund of all 350 purchases;
9 is that right?

10 A. Yes.

11 Q. Why, why do you think you're entitled
12 to a full refund?

13 A. I don't know.

14 Q. You don't know?

15 A. I just... I don't know. I think it's
16 deceptive to what is actually in the ingredients.
17 I don't know.

18 Q. But you don't know whether everybody
19 else who you purport to represent are entitled to
20 a full refund?

21 A. I don't know.

22 Q. And you never contacted the company,
23 either Welch's or Promotion in Motion, seeking a
24 full refund or a refund of a subset of your
25 purchases or anything?

Page 275

1 LAUREN HALL

2 MR. ANSELL: Objection, asked and
3 answered.

4 Q. Never once asked for a refund?

5 MR. ANSELL: Objection.

6 A. No.

7 Q. You just filed a lawsuit instead,
8 right?

9 A. Yes.

10 Q. And the first time you ever met with
11 your lawyers was this morning, right?

12 A. We've spoken before.

13 Q. Met in person the first time was this
14 morning, right?

15 A. Yes.

16 Q. And the only lawyer that you've ever
17 spoken with or met with at the Ansell Grimm firm
18 is Michael Ansell that's sitting in the room
19 today?

20 A. Yes.

21 Q. And the other lawyer representing
22 yourself -- did you understand that Kim Richmond,
23 who you called Nick, but Kim Richmond who you
24 spoke with earlier this week represents you as
25 well?

Page 276

1 LAUREN HALL

2 A. Yes.

3 Q. When did you learn he represents you?

4 A. I don't recall.

5 Q. What's that?

6 A. I don't recall.

7 Q. Was it before Monday when you spoke
8 with him for the first time?

9 A. I don't recall.

10 Q. I'm going to have you to take a look
11 at Exhibit 13, which is your responses to the
12 document requests.

13 A. (The witness complies.)

14 Q. When did you see these? I thought
15 you testified earlier that the first time you saw
16 them was when I showed it to you this morning.
17 But tell me if you...

18 A. I don't know. I don't remember.

19 Q. Were you ever asked whether you had
20 any documents relevant to the issues in this
21 case?

22 A. Yes, in those questions.

23 Q. In what "questions?" The document
24 request?

25 A. I don't know. I don't recall.

Page 277

1 LAUREN HALL

2 Q. Well, let's quickly go through a few
3 of them. I'm not going to go through all 64.
4 But suffice it to say, in response to 63 of them,
5 you said you had no documents. And the only one
6 that there was a responsive document was a letter
7 that your lawyer wrote to the New Jersey Attorney
8 General who wrote back and said we're, not
9 interested, essentially. That's the summary.
10 But in terms of the documents that came from you,
11 not a single piece of paper.

12 So let me go through these and ask you to
13 look your response to Request No. 1, "all
14 documents supporting your responses to the
15 interrogatories."

16 You said you have no documents; is that
17 true?

18 A. Yes.

19 Q. No. 2, "all documents concerning all
20 factual bases for each and every allegation set
21 forth in the complaint."

22 You said you had no documents; is that
23 true?

24 A. Yes.

25 Q. So you have no documents that support

Page 278

LAUREN HALL

the allegations in your complaint, right?

A. Yes.

Q. And, just so that we're clear, Exhibit 6 is the document request and the definition of you when we ask about all documents that you have or all documents identified in your complaint includes your attorneys. Did you understand that?

A. Yes.

Q. So, to the best of your knowledge, neither you nor your attorneys have any documents supporting the factual allegations in your complaint; is that right?

A. I don't know.

Q. Well, that's what you said. Is that true?

A. I don't know.

Q. Well, you didn't say, "I don't know." You said, Plaintiff had no responsive documents.

A. Yes.

Q. Okay. Paragraph -- Request No. 3, "all documents identified in your complaint." It says, "Plaintiff has no responsive documents"; is that true?

Page 279

LAUREN HALL

A. Yes.

Q. "All photographs of each product you purchased." "Plaintiff has no responsive documents"; is that true?

A. Yes.

Q. All documents -- No. 5, "all documents concerning purchase of any product including but not limited to receipts, invoices or other proof of purchase."

Response, "Plaintiff had no responsive documents in her possession, custody or control"; is that true?

A. Yes.

Q. All documents concerning communications between you and any of the defendants. That's No. 6.

Did you have any communications between you and Promotion in Motion or Welch's?

A. No.

Q. And, again, I'm not going go through all 64 of them.

But my question to you is, did you go through all 64 of them before saying you have no documents to every single one of them with one

Page 280

LAUREN HALL

exception?

A. No.

THE WITNESS: Can I get another water?

MR. SILVERMAN: Uh-huh.

Q. I want to make sure we marked as Exhibit 34 the O Organics fruit snacks.

I asked you earlier, but I don't think it got marked, so the reporter has marked it.

Do you buy fruit juice?

A. I don't.

Q. Do you think fruit juice is healthy and nutritious?

A. No.

Q. Do you believe that Welch's Fruit Snacks is more healthful and nutritious, as you understand those terms, than apple juice?

MR. ANSELL: Objection. You're extremely far removed from any allegations of this complaint and are assuming facts not in evidence.

A. And you're comparing two totally different products so...

Q. Well, you're comparing it -- you were

Page 281

LAUREN HALL

talking about whole fruit. I'm now asking about apple juice.

I'm just asking you whether you think Welch's Fruit Snacks is more healthful and nutritious than apple juice?

MR. ANSELL: Objection.

A. What kind of juice? What brand of juice?

Q. Minute Maid 100% apple juice.

A. I've never seen that label. I don't know. I don't know.

Q. And you don't ever buy fruit juice?

A. I don't buy juice.

Q. Why is that?

A. Cause of sugar, additives. My kids can drink water and milk.

Q. So no orange juice, no apple juice?

A. No.

Q. No pineapple juice, no grape juice?

A. No.

Q. Because you don't -- because you think it's unhealthy?

A. They just don't need it. My kids drink water and milk.

Page 282

LAUREN HALL

Q. Take a look at Minute Maid 100% apple juice label.

MR. SILVERMAN: We're going to mark this -- what are we up to --

THE STENOGRAPHER: Thirty-five.

MR. SILVERMAN: -- Exhibit 35.

Q. Tell me if there's any -- it says, "100% apple juice from concentrate with Vitamin C," and then under the nutrition facts it says there's 49 grams of sugar, which is more than four times the amount of sugar in Welch's Fruit Snacks.

MR. ANSELL: Objection, assumes facts not in evidence. I mean, you're really presenting your lunch drink here.

MR. SILVERMAN: This was not my lunch drink. I purchased this product about a year ago, as you can see by the fact that it's not fresh.

Q. Anyway, take a look at that. Tell me if there's anything "deceptive" about that label.

A. I don't know. I don't know.

Q. Does it surprise you that there's 49 grams of sugar?

Page 283

LAUREN HALL

A. No.

Q. Because?

A. Because it's juice. It probably has additives. And I don't buy juice because they put other things other than fruit juice in it. So I don't purchase it.

(Deposition Exhibit Hall 35, color scan of empty bottle of Minute Maid 100% Apple juice (physical exhibit retained by Silverman), was marked for identification.)

MR. SILVERMAN: Why don't we take five minutes. I'm going to try to wrap it up in the next 15 minutes after the break. I just need to collect my thoughts. We can come back in three minutes, if you want. Rather than having dead space, I want to collect my thoughts.

A. Okay.

THE VIDEOGRAPHER: The time is 3:53 p.m. We're off the record.

(Recess taken 3:53 to 4:03 p.m.)

THE VIDEOGRAPHER: The time is 4:03 p.m. We're on the record.

Q. I think I had asked you earlier about the 11 grams of sugar that has always been on the

Page 284

LAUREN HALL

ingredient panel and Exhibits 20 and 21 on the labels just confirm that the 11 grams of sugar is also on the front of the label, correct?

A. Yes.

Q. And you saw those when you made the purchases, right?

A. Yes.

Q. And you continued to purchase it after seeing that, right?

A. Yes.

Q. So you knew that the sugar content of the product during the time that you purchased it, right?

A. Yes.

Q. And you knew the sugar content before it was on the front of the labels because you saw -- you read the nutrition facts and the ingredient list prior to that, correct?

MR. ANSELL: Objection, asked and answered and I think you have it backwards. The ingredient list you're saying was read first. That's not her testimony.

Q. It was read before the 11 grams of sugars was on the front of the label. There's

Page 285

LAUREN HALL

always been an ingredient list. The 11 grams of the sugar wasn't always on the front label.

So I'm asking you, even before you saw it on the front label, you saw the fact that there was 11 grams of sugar by looking at the nutrition facts panel, right?

MR. ANSELL: Objection, mischaracterizes the testimony, which was that she doesn't recall when she first viewed the nutritional label.

A. I don't recall.

Q. You have no idea what year you first saw the ingredient list and the nutrition fact panel?

A. I don't recall.

Q. Do you know if it was within the year prior to your last purchase, two years, three years, four years?

A. I don't recall.

MR. ANSELL: Objection, asked and answered.

Q. During the time you purchased the product, you knew there were 11 grams of sugar in the product?

Page 286

LAUREN HALL

A. Yes.

Q. And you continued to purchase it after knowing that, right?

A. Yes.

Q. And I think I had asked you this. I'm just trying to do some cleanup to make sure that I -- rather than having the transcript read back, I think, it would be faster to ask the question.

You don't know whether the Welch's Fruit Snacks are sold at a price premium, do you?

MR. ANSELL: Objection to form and objection, asked and answered.

A. I don't know.

Q. And I believe you testified the most important reason you purchased the product was you wanted a snack for your kids and something your kids would like to taste, right?

A. Yes.

Q. I'll show you one more product. I missed it in my -- we'll mark it as exhibit Exhibit 35.

THE STENOGRAPHER: Exhibit 36.
(Deposition Exhibit Hall 36, color scan of

Page 287

LAUREN HALL

Variety Pack of Fruit Roll-ups, Fruit by the Foot and Fruit Gushers (physical exhibit retained by Silverman), was marked for identification.)

Q. Thirty-six. This is a variety pack of fruit Roll-ups, Fruit By the Foot and Fruit Gushers that's sold in the same area as the fruit snacks.

Have you ever seen Fruit Roll-ups, Fruit By the Foot and Fruit Gushers?

A. Yes.

Q. You've seen it on the aisle that has the -- in the section of the fruit snacks?

A. Yes.

Q. Have you ever bought either any of these products?

A. No.

Q. Why not?

A. They don't look appealing to me. I don't...

Q. They all say fruit.

A. They all say fruit. It doesn't say real fruit.

Q. So because it doesn't say "real fruit," you assume that there's no fruit?

Page 288

LAUREN HALL

MR. ANSELL: Objection.

A. I didn't say that.

Q. Was in reading -- in reading this label for the fruit Roll-ups, Fruit by the Foot and Fruit Gushers, does it have imply to you that there is fruit in the product -- products?

A. Fruit could mean lots of different things, fruit flavoring and it doesn't say "made with real fruit." I wasn't in the market for this. I didn't buy this.

Q. Is there anything "deceptive" in your view about this labeling?

A. I couldn't answer that at this time.

Q. So you don't know one way or the other?

A. I couldn't answer that at this time.

Q. Have you ever been in a lawsuit -- involved in a lawsuit prior to this?

MR. ANSELL: Objection, asked and answered.

A. No.

Q. Has your husband ever been involved in a lawsuit, to your knowledge?

A. Nope.

Page 289

LAUREN HALL

Q. And you understand if this case were to go to trial, you'd be called to testify at trial?

A. Yes.

Q. Were you aware that there was a -- that Defendants had a survey conducted about reasons why people purchased the product?

A. No.

Q. Never heard of it, never seen it?

A. No.

Q. And in terms of the reason -- most important reason that you bought the product, you wanted a snack and you wanted something that your kids would like the taste of, right?

A. Yes.

Q. That's why you bought it to begin with the first time and that's why you bought it after that, right?

A. Yes.

(There is a discussion off the record.)

Q. Do you shop anywhere else other than what was A&P now the Acme? Do you do any other grocery shopping other than that store?

A. Sometimes, not often.

Page 290

LAUREN HALL

Q. Do you shop at Whole Foods?

A. Yes.

Q. How often?

A. Maybe once a month.

Q. And what do you buy, typically, at Whole Foods?

A. We'll go for soup for lunch and meat products. I don't buy standard every week groceries there.

Q. What about Traders Joe's, do you ever shop there?

A. I ever, not regularly, not often, maybe two or three times.

Q. How about Costco?

A. No.

Q. Anywhere else you shop for groceries?

A. Regularly? No.

Q. Not regularly, other than --

A. I mean, I've shopped at Shop Rite.

Q. Approximately, how far do you live from the Acme food store that you bought the fruit snacks at for seven years?

A. About a mile.

Q. And since the last time you bought

Page 291

LAUREN HALL

Welch's fruit snacks, which you said you did about a year or two ago, have you ever purchased Welch's Fruit Snacks?

A. No.

Q. Have you ever eaten Welch's Fruit Snacks?

A. No.

Q. Have your kids ever eaten Welch's Fruit Snacks?

A. No.

Q. Have you ever purchased or eaten any other fruit snack other than Welch's?

A. No.

MR. SILVERMAN: I have nothing further.

MR. ANSELL: Okay. Lauren, I just have a few quick follow-ups.

EXAMINATION BY MR. ANSELL:

Q. I think earlier you testified you weren't sure whether you had seen the Complaint previous to today. I'm just going to show you this document to see if it refreshes your recollection.

MR. SILVERMAN: What's "this

Page 292

LAUREN HALL

document?"

MR. ANSELL: It is an e-mail attaching the --

MR. SILVERMAN: So are we marking that as an exhibit?

MR. ANSELL: It's just to refresh her recollection. She's not going to be testifying about the document itself.

MR. SILVERMAN: Well, I want to see the e-mail.

MR. ANSELL: Okay.

Q. And does this refresh your recollection of whether you had ever seen the Complaint previously prior to today or this week?

A. Yes.

Q. Okay. And I think you testified earlier too that you provided information to counsel sometime last year. You believed it was "in the summer."

Does this document refresh your recollection as to when you provided information to counsel?

A. Yes.

Q. And when was that?

Page 293

LAUREN HALL

A. I guess in April of 2017.

Q. Okay. And at the time the Complaint was filed, you reviewed -- you reviewed that you received and reviewed the Complaint?

A. Yes.

Q. Okay. And in your review of the Complaint, did you have any basis -- or strike that.

Did you believe that all of the allegations in the Complaint were true, to the best of your knowledge?

A. Yes.

Q. And you also earlier testified and you were "confused" or unsure about when you saw certain written questions and document demands from the Defendants.

Do you recall having received those documents from my office sometime in the end of February 2018, early March 2018, just a few weeks ago?

A. Yes.

Q. And do you recall whether those were draft documents with comments for your review?

MR. SILVERMAN: Objection, leading.

1 LAUREN HALL
 2 Every question is leading.
 3 MR. ANSELL: Okay.
 4 MR. SILVERMAN: It's improper.
 5 MR. ANSELL: I'll try.
 6 A. I'm sorry, could you repeat the
 7 question?
 8 Q. Did you recall receiving draft
 9 responses of interrogatories -- to the
 10 interrogatories in the document?
 11 A. Yes.
 12 Q. And did you review those?
 13 A. Yes.
 14 Q. Okay. And do you recall whether that
 15 was prior to the date that they were actually
 16 submitted to Defendants' counsel, which, I
 17 believe, based on the documents themselves were
 18 March 7th?
 19 A. Yes.
 20 Q. Okay. And then you didn't -- is it
 21 true then that you didn't get --
 22 MR. SILVERMAN: Objection, leading.
 23 Q. Is it true then that you did not get
 24 around to --
 25 MR. SILVERMAN: Objection, leading.

1 LAUREN HALL
 2 used in the Complaint?
 3 MR. SILVERMAN: Vague.
 4 A. Yes.
 5 Q. Okay. And you reviewed the complaint
 6 at the time it was filed?
 7 A. Yes.
 8 Q. Okay. And did you review the Answers
 9 to Interrogatories and document demands before
 10 they were produced?
 11 A. Yes.
 12 Q. Okay. Alright. I have no further
 13 questions.
 14 MR. SILVERMAN: I just one.
 15 The e-mail that counsel provided you is
 16 dated April 24th. The Complaint was filed three
 17 weeks before.
 18 Did you see the Complaint before it was
 19 filed?
 20 THE WITNESS: I don't recall.
 21 MR. SILVERMAN: No further questions.
 22 THE VIDEOGRAPHER: This concludes
 23 today's deposition. The time is 4:17 p.m. We're
 24 off the record.
 25 (Time noted: 4:17 p.m.)

1 LAUREN HALL
 2 Q. -- sending back the verification
 3 until a few weeks after that?
 4 A. Yes.
 5 Q. Okay.
 6 MR. SILVERMAN: Objection, leading.
 7 I can lead on cross. You can't lead on direct.
 8 MR. ANSELL: I'm not on direct. I'm
 9 on cross.
 10 MR. SILVERMAN: No, you're on direct.
 11 This is a direct examination of your witness.
 12 MR. ANSELL: This is a deposition.
 13 MR. SILVERMAN: That's right. I'm
 14 doing cross. You're doing direct. Just like we
 15 were in trial, you're doing direct. It's
 16 improper to lead.
 17 Q. So, as you sit here today in having
 18 gone through the Complaint with or the specific
 19 questions posed by defense counsel regarding the
 20 Complaint, do you have any reason to believe that
 21 the allegations in the Complaint are untrue, to
 22 the best of your knowledge?
 23 A. No.
 24 MR. SILVERMAN: Objection, leading.
 25 Q. Did you provide information to be

1 LAUREN HALL
 2 CERTIFICATE OF REPORTER
 3 I, SILVIA P. WAGE, a Certified Shorthand
 4 Reporter, Certified Realtime Reporter and Registered
 5 Reporter, herby certify that the witness in the
 6 foregoing deposition was by me duly sworn to tell
 7 the truth, the whole truth, and nothing but the truth
 8 in the within-entitled cause; that said deposition
 9 was taken down in shorthand by me, a disinterested
 10 person, at the time and place therein stated, and
 11 that the testimony of the said witness was
 12 thereafter reduced to typewriting, by computer,
 13 under my direction and supervision; that before
 14 completion of the deposition, review of the
 15 transcript [X] was [] was not requested. If
 16 requested, any changes made by the deponent (and
 17 provided to the reporter) during the period
 18 allowed are appended hereto.
 19 I further certify that I am not of
 20 counsel or attorney for either or any of the
 21 parties to the said deposition, nor in any way
 22 interested in the event of this cause, and that I
 23 am not related to any of the parties thereto.
 24 Dated: 4-9-2018

25

 SILVIA P. WAGE

ERRATA SHEET

Case Name:

Deposition Date:

Deponent:

Pg. No. Now Reads Should Read Reason

6	_____	_____	_____
7	_____	_____	_____
8	_____	_____	_____
9	_____	_____	_____
10	_____	_____	_____
11	_____	_____	_____
12	_____	_____	_____
13	_____	_____	_____
14	_____	_____	_____
15	_____	_____	_____
16	_____	_____	_____
17	_____	_____	_____
18	_____	_____	_____
19	_____	_____	_____
20	_____	_____	_____

Signature of Deponent

SUBSCRIBED AND SWORN BEFORE ME

THIS ____ DAY OF _____, 2018.

(Notary Public) MY COMMISSION EXPIRES: _____

LAUREN HALL

I N D E X

WITNESS: LAUREN HALL PAGE
EXAMINATION BY MR. SILVERMAN 5
EXAMINATION BY MR. ANSELL 291

E X H I B I T S

EXHIBIT NO.	DESCRIPTION	PAGE
Exhibit Hall 1	Defendants' Amended Notice of Deposition of Plaintiff Lauren Hall	18
Exhibit Hall 2	Class Action Complaint and Jury Demand	23
Exhibit Hall 3	First Amended Class Action Complaint and Jury Demand	25
Exhibit Hall 4	Defendant the Promotion in Motion Companies, Inc.'s Interrogatories, Set One, to Plaintiff Lauren Hall	29
Exhibit Hall 5	Defendant the Welch Foods Inc., a Cooperative's Interrogatories, Set One, to Plaintiff Lauren Hall	29
Exhibit Hall 6	Defendants Welch Foods Inc., a Cooperative and the Promotion in Motion Companies, Inc.'s Request for Production of Documents, Set One, to Plaintiff Lauren Hall	29
Exhibit Hall 7	Plaintiff's Answers to Defendant's First Set of Interrogatories	31
Exhibit Hall 8	Verification signed by Lauren Hall 3/23/18	32
Exhibit Hall 9	Plaintiff's Answers to Defendant's First Set of Interrogatories	34
Exhibit Hall 10	Verification signed by Lauren Hall 3/23/18	35

LAUREN HALL

E X H I B I T S

EXHIBIT NO.	DESCRIPTION	PAGE
Exhibit Hall 11	Plaintiff's Supplemental Answers to Defendant's First Set of Interrogatories	36
Exhibit Hall 12	Verification signed by Lauren Hall 3/26/18	37
Exhibit Hall 13	Plaintiff Lauren Hall's Responses and Objections to Defendants' First Set of Request for Production of Documents	42
Exhibit Hall 14	color scan of Mott's Fruit Flavored Snacks Assorted Fruit box and nutritional label (physical exhibit retained by Silverman)	85
Exhibit Hall 15	color scan of Annie's Organic Bernie's Farm Fruit Snacks box and nutritional label (physical exhibit retained by Silverman)	86
Exhibit Hall 16	color scan of Welch's Mixed Fruit Fruit Snacks box and nutritional label (physical exhibit retained by Silverman)	88
Exhibit Hall 17	color scan of Welch's 2004 label	113
Exhibit Hall 18	color scan of Welch's 2014 label	149
Exhibit Hall 19	Questions and Answers on the Nutrition and Supplement Facts Labels Related to the Compliance Date, Added Sugars, and Declaration of Quantitative Amounts of Vitamins and Minerals: Guidance for Industry	152

LAUREN HALL

E X H I B I T S

EXHIBIT NO.	DESCRIPTION	PAGE
Exhibit Hall 20	color scan of Welch's 2015 label	156
Exhibit Hall 21	color scan of Welch's 2016 label	202
Exhibit Hall 22	color scan of Haribo Gold-Bears Gummi Candy (physical exhibit retained by Silverman)	226
Exhibit Hall 23	color scan of Starburst (physical exhibit retained by Silverman)	226
Exhibit Hall 24	color scan of Skittles (physical exhibit retained by Silverman)	226
Exhibit Hall 25	color scan of Twizzlers (physical exhibit retained by Silverman)	227
Exhibit Hall 26	color scan of Orchard Snacks Gummy Bears (physical exhibit retained by Silverman)	227
Exhibit Hall 27	Color scan of Black Forest Juicy Center Fruity Medleys (physical exhibit retained by Silverman)	23
Exhibit Hall 28	color scan Simple Truth Organic Fruit Flavored Snacks (physical exhibit retained by Silverman)	240
Exhibit Hall 29	color scan of Go Organically Fruit Snacks (physical exhibit retained by Silverman)	241
Exhibit Hall 30	color scan of Hello Kitty Fruit Flavored Snacks (physical exhibit retained by Silverman)	244
Exhibit Hall 31	color scan of Shimmer and Shine Fruit Flavored Snacks (physical exhibit retained by Silverman)	244

Page 302				Page 303			
1	LAUREN HALL			1	LAUREN HALL		
2	E X H I B I T S			2	- - -		
3	EXHIBIT NO. DESCRIPTION PAGE			3	DEPOSITION SUPPORT INDEX		
4	Exhibit Hall 32 color scan of Scooby-Doo! Fruit Flavored Snacks (physical exhibit retained by Silverman)	245		4	- - -		
5				5			
6	Exhibit Hall 33 color scan of Sponge Bob Square Pants Fruit 7Flavored Snacks (physical exhibit retained by Silverman)	245		6	Direction to Witness Not to Answer		
7				7	Page Line Page Line Page Line Page Line		
8				8	9 10 14 19 19 9 29 2		
9	Exhibit Hall 34 color scan of O Organics Fruit Snacks Mixed Berry (physical exhibit retained by Silverman)	259		9	44 10		
10				10			
11	Exhibit Hall 35 color scan of empty bottle of Minute Maid 100% Apple juice (physical exhibit retained by Silverman)	283		11			
12				12	Request for Production of Documents		
13				13	Page Line Page Line Page Line Page Line		
14	Exhibit Hall 36 color scan of Variety Pack of Fruit Roll-ups, Fruit by the Foot and Fruit Gushers (physical exhibit retained by Silverman)	286		14	NONE		
15				15			
16				16			
17				17	Stipulations		
18				18	Page Line Page Line Page Line Page Line		
19				19	NONE		
20				20			
21				21			
22				22	Question Marked		
23				23	Page Line Page Line Page Line Page Line		
24				24	NONE		
25				25			

A				
\$10 (2) 121:12 181:13 \$16 (1) 121:24 \$3 (2) 121:3 181:17 \$3.49 (1) 242:12 \$4 (5) 121:3,22 181:12,13 181:21 \$9 (3) 121:22 181:17,22 A&P (8) 80:23 115:2,2,3 116:18 182:8 258:12 289:23 a.m (12) 2:4 4:12 11:22 21:23 21:24 22:2 49:7,8 49:10 102:15,17,19 Aaron (3) 2:6 3:2 4:20 ability (2) 133:12 248:11 able (1) 235:22 absolutely (2) 69:20 208:7 acceptance (2) 232:7 233:15 accompanied (1) 37:19 account (1) 63:22 accounting (1) 61:19 accounts (1) 63:24 accuracy (6) 23:6 32:5 34:21 35:2 39:13 165:15 accurate (10) 144:10 166:24 168:24 168:25 190:11 204:8 215:16 217:14,18 251:17 acid (2) 92:3 210:24 acknowledge (2) 151:21,25 Acme (15) 71:3,5 78:2 79:17 114:25 115:3 116:19 183:4,9	184:13 242:5 243:22 258:11 289:23 290:22 acquire (1) 199:2 acting (1) 272:20 action (13) 23:23,25 25:11,14 32:25 52:10,13 53:9 53:17 60:16,18 299:9,10 actual (10) 20:25 66:10 112:7 123:25 124:9 235:5 249:2,9,12,25 add (4) 176:6 212:13 236:9 254:17 added (11) 96:22 97:2 152:13,23 153:11 167:20 255:19 256:5,10,15 300:22 addition (1) 254:11 additives (2) 281:16 283:5 Addox (1) 125:6 Addox's (1) 59:19 address (3) 61:5 115:9 199:5 adds (4) 142:14 199:10 200:2 200:5 adjusted (1) 98:20 Administration (2) 152:19 154:6 admitted (1) 184:4 admonished (1) 154:11 ads (3) 111:17,19,21 adult (1) 79:2 advance (2) 61:20 65:11 advertise (1) 197:15 advertised (4) 169:11 176:20 254:25 265:7	advertisement (2) 164:11 246:10 advertisements (1) 111:13 advertising (14) 45:10,17,25 47:17 84:25 112:5 162:11 163:24 169:6 190:14 237:3 238:5 260:11 264:14 advising (1) 64:3 age (1) 60:25 ages (1) 66:16 ago (49) 23:8 31:21 36:24 37:16 38:8 40:17 48:9,10,17 50:17 51:14 53:23 67:10 73:5 79:21,23 80:2 80:6 90:9,10 99:7 99:15 100:5 116:4,9 116:12,15 146:4,13 146:13 163:13 166:12 170:4 174:4 174:5 183:6,10 237:9,10,15,21 251:4,9,12 266:21 266:24 282:19 291:3 293:21 agree (5) 140:24 221:10,13 245:16 270:21 agreement (1) 2:8 Ah (1) 271:25 ahead (3) 119:17 143:2 152:7 air (1) 112:6 aisle (29) 67:15 69:23 72:14 115:17,19 116:2,6 116:10,11,13 117:24,25 118:9,13 118:18,23 119:8,9 119:19 120:6,19,21 120:22 169:9 209:12,13,21 220:25 287:12 aisles (3) 119:22 120:5,13 alike (1)	270:23 allegation (7) 205:4 209:5 216:15 219:8 231:10 260:9 277:20 allegations (14) 23:5,6 45:5,9 46:3,13 165:16 207:12 236:16 278:2,13 280:20 293:11 295:21 allege (1) 48:4 alleged (2) 46:14 265:23 alleges (1) 48:4 alleging (2) 47:16 165:5 allow (1) 59:23 allowed (2) 253:22 297:18 alright (6) 22:3 43:12 187:17 211:24 212:8 296:12 alternative (39) 80:17 87:12,14 96:23 99:24 161:12,14 162:2,10 163:21 164:2,4,17 166:12 166:16 167:10,23 169:13 176:20,25 177:2 184:20 197:13 208:23 214:2 216:7,13,18 220:14,17,18 221:23 228:13 250:12,21 252:7 254:5 260:22 264:15 alternatives (3) 45:12 79:3 111:5 altogether (3) 38:9 99:10 198:19 amended (21) 18:4,7 25:10,13,24 26:16 28:11,15 40:11,19 41:12,25 45:3 75:6 165:14 203:25 222:7 254:9 259:23 299:7,10 America (1) 33:7 amount (24)	106:19,21 148:23 160:24 161:8 175:9 195:21,22 196:4,10 196:15 206:9 218:22 219:4 232:5 233:13,21 234:18 235:18 249:15,21 249:24 264:3 282:12 amounts (12) 108:10 152:14,24 195:2,6 196:18 204:15,19 249:2,9 249:11 300:23 amy (1) 183:25 and/or (2) 74:17 123:25 Angles (1) 3:11 Annie's (33) 82:2,6,9,18,24 83:4,7 83:12,17 84:3,17,18 84:19,22 85:22 86:4 87:2,3,8 108:14 162:4,17 170:7,11 232:20,25 233:4 237:13,14 238:3,7 238:18 300:12 Ansell (261) 2:6 3:2,6 4:19,19,19 6:17,20,23 7:12 9:6 9:17,23 10:14 12:9 14:2,8,10,18,20 19:8,14,17,25 21:11 22:19 23:15 39:24 40:22,24 44:9,15,20 46:10 47:10 49:3 50:2,5 51:10 52:3 52:19,25 53:5,18 54:14,19,23 56:8,11 56:25 57:5,9,16,20 59:8,13,21 60:3 70:6,12,25 74:14,18 74:24 76:5 78:4 79:15 83:19 85:3,9 85:13 86:18 93:21 94:19 96:9 98:10 102:9,12 103:2 107:24 109:22,24 110:9,11 113:21 117:11 118:5,25 127:15,24 132:24 133:6,21,25 134:7 134:10,13 136:2 137:24 138:3

141:25 142:6,24 144:12 145:11 147:3,11 151:18 152:6 154:9,22 155:7,12 156:15 157:19 162:15,21 163:9 164:23 166:9 167:11,13 168:2,9 168:13 169:21 170:14 171:23 172:8 173:9 176:4 177:11 178:15,22 179:10,14,19 180:25 181:19 183:2,7,11,16 184:3 184:11 185:9,14,18 185:22 186:2,5,9,24 187:10 188:6,11,15 189:19 190:6 191:3 191:8 192:12 193:11 199:11 200:21 201:3,8 203:18 205:6 208:2 208:13,16,25 210:10,15 211:19 211:24 212:4,7,9,16 212:20 214:4,14,17 214:23 215:7 217:3 217:5,13,17,23 219:14,22,25 220:4 221:7,15,24 222:9 222:11 224:12 225:19 226:8 228:10 231:9 233:6 236:7,13 239:2,18 240:11,16 242:15 243:5,16,20,24 244:4,7 247:7 250:14,18,25 251:16 253:3,19 256:16 257:22 259:8 260:7 262:4 265:19 267:20 268:18 270:2,25 272:11 275:2,5,17 275:18 280:19 281:7 282:14 284:20 285:8,21 286:13 288:2,20 291:17,19 292:3,7 292:12 294:3,5 295:8,12 299:4 answer (50) 9:19 15:14,18,19,22 16:12 20:3 34:25 40:2 46:11 51:12	52:4 54:21 59:25 74:20 85:5 86:20 93:22 103:4 117:13 153:5 154:19,21,23 157:23 168:8 171:24,25 177:13 180:4 181:11 196:17 198:4 214:9 228:25 229:4,6,23 247:3 253:14,16,16 256:18 257:23,23 259:9 267:24 288:14,17 303:6 answered (40) 20:21 39:25 51:11 53:6 54:24 57:21 74:19,25 76:6 83:20 96:10,15 98:11 109:24 147:4,12 156:16 162:21 167:18 169:22 172:9 173:10 176:5 189:10 190:7 192:13 219:15 221:16 226:9 236:8 253:20 260:8 267:21,22 270:3 275:3 284:21 285:22 286:14 288:21 answering (2) 16:13 253:24 answers (26) 7:14,16 10:16 18:18 20:6 21:4,7 28:5 30:23 31:2,13 33:5 34:5 36:6,9 39:12 39:15 152:12,21 176:7 179:2 296:8 299:20,23 300:4,20 anticipate (1) 16:10 anybody (9) 6:23 14:6,21 23:12 44:6 58:10 67:19 93:25 270:16 anymore (7) 108:8 110:22 131:19 175:25 264:12,16 265:2 anytime (7) 22:15 78:5 81:17 187:20 188:2 190:8 268:7 anyway (5) 208:10 212:13 251:15	253:6 282:21 appeal (4) 78:25 79:2 169:24 197:16 appealed (7) 197:9,12,19 209:16 220:19 237:12 264:17 appealing (2) 252:12 287:19 appearance (4) 233:19 234:7,9,16 appended (1) 297:18 apple (20) 140:13 223:17,21 230:11,24 231:24 231:25 239:10,12 240:8 241:4 280:18 281:3,6,10,18 282:2 282:9 283:9 302:12 Applied (1) 152:20 appropriate (2) 113:25 215:10 approximate (2) 16:22,22 approximately (11) 4:12 10:2 54:3 63:3 67:11 75:17 78:10 78:11 95:8 181:12 290:21 apricots (3) 118:3,17 119:7 April (8) 24:15,19 25:3,6 54:2 165:14 293:2 296:16 area (1) 287:7 argument (2) 136:2 217:10 argumentative (5) 21:12 56:9 94:20 171:23 189:20 arrested (1) 66:25 artificial (9) 70:20,21 83:21 86:25 92:2,8 210:24 227:22 238:12 ascorbic (1) 92:2 asked (75) 16:21 18:15 26:18 38:10 39:24 40:8	42:25 44:5,13,21 51:10 53:6 54:23 57:20 60:13 74:18 74:24 76:5 83:19 96:9 98:10 109:24 129:3 133:15 137:24 147:3,11 156:15 162:21,23 167:15,16 169:21 172:8 173:9 176:4 188:11,15 189:8,8 190:6 191:21 192:12,20,21 209:7 210:2 216:20 219:14,16,19 221:15 226:8 230:2 236:7,13 246:13 253:19 255:22 258:5,15 259:4 260:7 267:20 270:2 275:2,4 276:19 280:9 283:24 284:20 285:21 286:6,14 288:20 asking (61) 9:7,11,21,23 22:6 39:11 42:10 58:2 80:5 86:15 89:8 92:22 99:9 100:24 102:20 106:19 142:17 143:16 154:13,15,18,23,24 155:2,5,6 167:18 176:12 183:14 189:20 190:16 191:12,13 198:3,3 199:6 207:8,15 208:4 210:4 215:9 216:5,18,22 224:23 228:11,21 236:11 239:3,7 253:17,25 255:15 271:20,23 271:24 272:24 273:4 281:2,4 285:4 asks (1) 184:24 asserting (1) 217:6 assertion (1) 217:14 assistant (4) 62:12,25 63:3,6 associate (7) 3:22 64:2,5 222:18 230:7,19 231:16 association (1)	4:16 assorted (4) 70:23 85:24 247:13 300:10 assume (4) 168:23 183:18 237:16 287:25 assumes (23) 70:25 71:3 79:15 107:24 113:22 117:11 118:5 133:7 133:21 142:25 144:12 163:9 178:15 183:2 214:5 233:6 239:18 240:12 242:15 247:7 253:3 262:4 282:14 assuming (12) 73:7 114:10 119:5 142:17 145:17 153:2 163:5,11,12 199:21 255:21 280:21 assumption (2) 74:15 177:5 assure (1) 59:17 ate (2) 76:15 148:23 attaching (1) 292:3 attention (6) 70:2 80:2,11,14 94:14 172:11 attested (1) 196:6 attorney (4) 263:5 270:11 277:7 297:20 attorney-client (6) 9:18 10:15 14:19 19:9 20:2 44:10 attorneys (4) 3:3,9 278:8,12 attracted (4) 83:15,17 162:13 246:10 availability (1) 130:4 available (3) 239:4 242:8 251:3 Avenue (4) 2:7 4:11 5:11 61:6 aware (23) 58:16 68:9 93:12,16
--	---	--	---	--

93:20 107:12 108:2 125:8,15,17 128:15 128:23 136:17 151:15 158:24 159:3 172:16,19 175:7 256:7 258:14 269:17 289:6 awesome (2) 134:12,14 awful (2) 98:23 99:2	137:11 165:5 172:7 177:8 178:21 186:16 188:20 190:2 191:4 204:18 204:22,25 206:8 208:7 222:3 232:8 232:18 233:12 234:20 252:9,24 254:20 255:12 256:14,24 293:8 bear (16) 207:18,19 209:10 210:3,8,13 220:3,7 220:8 221:11 225:12 226:2,7 256:12 257:9 258:2 bearing (2) 232:6 233:14 bears (19) 37:4 207:24 208:12 208:23 209:6,19 210:6,20 216:20,21 219:12,21,24 220:5 225:10,22 226:18 227:9 301:13 becoming (1) 172:16 beeswax (2) 211:5,5 began (3) 69:8 84:20 156:25 beginning (2) 98:7 251:4 begins (1) 4:2 behalf (5) 1:3 4:5,20,23 272:21 belief (5) 108:22 159:18 206:24 207:25 260:21 believe (35) 33:4 68:2 89:5 91:10 105:22 113:18 114:3,24 131:13 137:12,21 138:6 139:14,18 147:7 149:20 151:12 154:10 175:22 181:20 188:2 195:15 202:23 216:5 222:23 254:14 259:8 267:9 267:12 272:15 280:16 286:16 293:10 294:17 295:20	believed (3) 166:11 228:13 292:19 bell (1) 93:14 benefit (1) 271:3 benefits (14) 102:4 222:16 230:6 230:11,18 231:6,15 254:18 255:10 256:6 270:22,24 271:14,17 Bernie's (2) 86:4 300:13 berries (5) 104:19 105:22 106:5 180:6 191:16 berry (6) 104:11,14,15 241:24 259:17 302:9 best (19) 15:24,24 16:20,23 17:5,9 21:18 53:23 53:24 54:8,9 55:16 112:4 115:12 133:12 248:11 278:11 293:12 295:22 better (45) 45:12 79:3 80:17 82:13,14 87:12,14 96:23 131:15,25 132:4 159:19 160:21 161:12,14 162:2,10 163:21 164:18 165:21,24 166:15 167:9,22 169:12 175:20,24 176:20,24 177:2,7 178:13 197:12 208:23 213:25 216:6,13 220:14,17 220:18 221:23 255:13 264:15,18 264:20 big (1) 69:24 biology (1) 65:8 biotechs (1) 66:4 birth (2) 61:3 65:3 birthday (2) 136:7,10 bit (4)	40:17 71:10 99:8 111:24 Black (5) 238:23 239:7,16,24 301:14 blackberries (1) 104:16 blackberry (1) 186:10 BLECHNER (1) 3:21 blend (1) 141:21 blended (1) 141:21 block (1) 59:19 blocking (2) 247:17,20 Blue (2) 92:3 211:6 blueberry (9) 185:21,22,25 188:22 188:22,24,25 189:7 189:12 Bob (8) 78:15 94:17 243:4 245:10,14 246:6 247:12 302:6 body (2) 255:17 256:2 book (1) 64:7 born (1) 73:13 bottle (2) 283:9 302:11 bottom (1) 193:8 bought (92) 8:23,23,24 14:14,15 57:15 74:21 75:15 75:22 76:3 80:3 81:5,7 84:22 95:7 99:14,16 101:4,9,11 101:19 103:5,7 104:23 112:21 121:18 122:13 123:2 129:5 130:11 131:7,8 145:15 147:19 163:6,7,20 166:6,15,20 167:3 167:15,17 172:21 173:23,24,25 180:21,22 181:9,9 182:7,11,12 184:18	187:7 188:3 194:12 216:12 230:25 232:3,11 235:3 237:18,20,24 243:14,18 251:7,8,8 251:9,10,14 262:17 263:23 264:2,5,14 265:9,12 266:7,10 266:15 271:12 272:21 287:15 289:13,17,18 290:22,25 box (53) 70:19 79:23 81:11,14 82:11 83:3 85:24 86:4 88:17 91:17 104:18 109:4 119:24 128:3 130:2 137:17 155:16,18 162:3,12,14 164:10 169:6,20,23 181:6 181:10 190:14 191:21 192:5,8,20 192:22 194:20 195:10 209:16 222:22,25 223:11 234:5 237:3,10,10 239:4,6 252:11 254:25 260:11,15 268:17 300:10,13 300:16 boxes (6) 79:8,19 81:2,4 169:10 252:13 boys (4) 66:18,19,21 246:7 brand (13) 71:9 80:3,17 81:24 82:12 83:10,11 84:21 94:13 114:18 129:15 170:5 281:8 brands (4) 72:19 78:10,12 81:24 break (19) 48:12,14 49:4,11,15 102:10,20 170:15 170:19,20 176:10 222:19 224:14,17 224:24 249:6 259:7 259:10 283:14 brief (1) 172:10 briefly (1) 9:4 bring (8) 60:2 77:18,19 98:21
--	--	--	---	--

99:6 111:3 208:13 208:19 bringing (3) 172:17,19 175:6 broken (1) 153:23 brought (4) 77:23 172:11 199:14 243:11 bucks (1) 233:5 budgeting (1) 63:13 bulk (1) 122:6 bunch (5) 23:4 28:5 40:10,12 92:16 burden (1) 184:15 business (8) 56:5,6,18 62:24 63:5 63:6,14 65:13 butter (1) 135:17 button (7) 144:22 145:7 151:7 189:3 193:8,10,20 buy (78) 48:3,7 51:7 67:7 68:23 69:16 70:24 71:8 72:9 74:16 75:20 76:8,9 78:22 82:6,9,12 100:9,10 101:20,21,21 103:22 105:2 108:19 110:23 111:7,10 112:24 121:17,18 122:4,6,7 122:19 123:8 131:19 135:10 136:5 148:17 150:3 156:13 163:20 166:4,6,14 169:3 176:11,15 196:23 202:19 206:22,23 209:22 220:13 228:7,12 229:17 233:3 235:8,22 236:5,24 237:21 238:3 246:13 249:17 264:10,25 266:12 267:3 280:11 281:13,14 283:5 288:11 290:6 290:9	buyer (1) 80:15 buying (48) 68:14 69:5 73:16 87:7 108:8 110:21 122:9 122:12,15,15,16,18 122:25 146:22 160:19 161:5,10,11 161:20,24 167:21 169:9 171:21 172:6 172:6 173:7,12,13 174:10,14,16,17,19 174:22,23 180:20 223:21 229:14,18 230:11 231:5,5 258:6 264:12 265:6 265:10 266:2 267:6 <hr/> C <hr/> C (27) 3:1 45:24 70:22 96:17 177:17 178:12 181:11 194:8 195:3 195:7,9,17 196:8,10 196:21 237:7 240:6 241:9 247:13 248:16 252:23 255:5 271:18 274:5 282:10 297:2,2 caffeine-free (1) 130:24 cake (2) 136:20,23 calendar (1) 266:19 calendars (1) 62:14 California (2) 3:11 243:22 call (14) 10:7,9,10 13:23 14:17 23:17 57:18,23 268:11,14 269:4,9 269:10,15 called (7) 5:12 7:25 57:12 94:17 272:19 275:23 289:3 calls (14) 14:18 15:2 19:8,25 20:3 44:9 85:4,13 86:18 151:18 154:9 164:23 177:11 256:16 caloric (1) 274:6	calorie (8) 127:18,19 134:2 135:24 208:21 214:15 220:7 225:16 calories (22) 130:14 133:4,19 134:5 211:17 215:3 215:4,15,21 216:25 218:2,6,15,16,20 221:21 224:25 225:15 270:23 271:5 273:18 274:3 Camp (1) 3:4 candies (1) 221:3 candy (66) 69:16 99:24 100:23 101:3,4,16,22 120:14,18 136:5,9 136:10 137:8 204:17 205:2 206:11,14,21,22,23 207:2,5,7,15,17 208:12,19,24 209:7 209:12,13,20,20,21 209:25 210:2,8,12 213:5,8,8 216:9,17 216:19 217:4 219:9 219:16,20 220:5,9 220:10,11,20,23,24 221:3,6 222:4 224:24 226:7,15,20 227:17,18 261:2 301:6 cane (5) 84:4,10 238:15 241:2 241:12 capital (1) 80:9 caption (1) 45:7 captioned (1) 32:25 card (2) 182:8 258:12 care (1) 247:11 carefully (1) 146:15 Carnauba (1) 211:4 carried (2) 104:13,18 Cars (1)	78:16 cartoon (2) 78:13,24 cartoons (1) 78:16 case (22) 1:2 5:18 7:15,17 9:3,5 22:18 23:14,20 42:11 44:6 50:11 68:3 93:13 139:19 182:4 233:22 234:19 235:19 276:21 289:2 298:2 category (1) 243:17 caught (1) 114:15 cause (15) 15:22 59:4,25 97:9 101:6 103:19 108:7 160:16 163:19 181:9 264:9 269:7 281:16 297:8,22 caused (13) 52:2 97:14 114:12 150:7,13 172:5 173:7 175:13,15,19 254:13 260:21 264:25 CCR (1) 1:24 Center (4) 152:19 238:24 239:24 301:15 Centered (1) 239:8 Century (1) 3:10 cereal (5) 115:20 116:10,16 117:4 120:21 certain (7) 58:24 59:2 71:20 72:10 222:22 238:5 293:16 Certified (4) 2:9,9 297:3,4 certify (3) 33:6 297:5,19 cetera (4) 150:23 153:25 223:9 241:4 change (7) 62:20 79:19 112:10 157:10,18 169:7 182:15	changed (13) 78:7 90:22 112:14,19 112:23 116:6,7,21 157:2 158:25 168:4 187:7 265:3 changes (3) 123:19 157:7 297:16 characterization (4) 44:18 250:15 251:16 251:18 characters (2) 78:13,25 charge (1) 267:12 charges (1) 267:9 cheese (1) 120:13 chemicals (3) 178:2,3,5 chemist (3) 93:13,17 152:2 chemistry (2) 93:18 152:2 cherries (2) 104:20 179:24 cherry (4) 227:21 239:10 240:8 244:15 child (8) 73:2,8 122:23,24 123:2 124:3 146:12 271:4 children (25) 45:20 69:15 72:25 74:21 78:20,25 90:8 96:23 97:7 98:21 100:8 108:10 124:6 133:10 134:21,22 146:21 147:23 169:4,10 173:15 245:19,23 246:18 246:21 chip (12) 131:23,24,25 132:19 133:3,18 134:4,17 134:24 135:6,8,12 chips (2) 120:14 135:16 chocolate (13) 131:23,24,25 132:18 133:3,17 134:4,17 134:24 135:6,8,12 135:16 choices (1) 264:20
--	---	---	--	---

choose (1) 119:9	61:25	comparable (1) 253:7	compliance (5) 63:16,20 152:13,23 300:22	conclusions (2) 208:8 209:2
choosing (1) 243:9	color (43) 85:23 86:3 88:16 113:3 149:13	compare (19) 71:17 82:19 161:19 162:4 163:8,13,16 164:9,13 167:12 169:17 170:2,10 206:15 207:24 208:20 210:13 225:13 232:10	complies (12) 36:23 43:4 75:8,12 113:8 179:5 203:24 204:13 210:21 254:10 259:25 276:13	conducted (1) 289:7
chopping (1) 153:24	156:18 202:25 226:19,23 227:2,5 239:23 240:21 241:19 244:21,25 245:5,9 259:16 283:8 286:25 300:9	compared (8) 97:13 167:15,24 170:6 206:13 232:12 238:17,21	component (5) 153:12,14,17 155:17 156:7	confident (1) 210:18
chose (1) 132:13	chosen (1) 219:17	compares (1) 131:14	components (1) 156:3	confirm (5) 23:5 32:5 35:2 165:15 284:3
citizen (1) 75:14	citric (1) 210:24	comparing (7) 164:7 206:20 216:11 224:24 229:7 280:23,25	computer (1) 297:12	Confirming (1) 34:21
claim (5) 47:17,20,21 187:14 197:11	claim (5) 47:17,20,21 187:14 197:11	comparison (5) 208:6 209:3 214:20 215:9,11	concentrate (61) 46:19 47:3,8,19 84:5 84:6,14 87:21 88:5 90:21 91:2,8,12 93:6,19 94:2 108:24 109:7 145:6 148:14 150:21 152:5 154:7 154:20 155:10,19 156:11 157:4,16 158:6,19 159:14,20 159:23 160:12 178:11 190:9,17,19 190:20 191:18 192:17 193:3 194:6 198:10 202:12 216:2 228:3 238:16 239:13 241:4 248:17 255:3,7,14 257:3,13,16 273:17 274:5 282:9	confused (9) 191:25 205:15,20,21 206:3 262:24 263:6 263:16 293:15
claimed (1) 248:25	combination (4) 139:24 140:3,8 143:7	competitor (3) 241:6,14 244:4	concentrated (2) 153:20 154:2	confusing (1) 41:3
claims (2) 227:16 228:14	combine (1) 141:2	compiles (1) 66:10	concentrates (3) 150:10,12 151:6	connected (1) 48:20
clarification (1) 201:4	combined (1) 143:13	complain (2) 269:11,24	concern (3) 106:13 107:5 134:21	connection (1) 57:11
clarifying (1) 191:24	come (10) 47:25,25 50:23 109:9 136:25 141:19 254:24 255:6 256:4 283:15	complaint (75) 22:20,21 23:4,24 24:2 25:11,14,24,24 26:5 26:15,16,19 27:4,17 28:2 40:11,12,18,19 40:19 41:3,11,16,17 41:25 45:2,3,6 46:14 48:3 54:2,2 74:9 75:7 203:25 205:24 206:5,6 207:9,13 209:24 216:16 219:8 222:7 236:16 248:2 251:5 254:9,9 259:23 262:20,22 263:14 277:21 278:2,8,14 278:23 280:21 291:21 292:15 293:3,5,8,11 295:18 295:20,21 296:2,5 296:16,18 299:9,10	concerning (4) 184:25 277:19 279:8 279:15	conscious (1) 80:15
class (14) 23:23,25 25:11,14 52:10,13 53:9,17 60:15,18 75:17 272:19 299:9,10	comes (7) 141:18,18,20 142:10 143:13,15 256:5	complete (2) 16:24 248:12	concluded (1) 97:22	consequences (3) 17:20,21,23
clauses (1) 238:5	coming (7) 60:10,16 96:21,25 97:5,7 270:19	completely (3) 168:3 171:21 273:13	concludes (1) 296:22	consider (7) 160:24 161:8 195:20 196:14,25 227:18 228:4
cleanup (1) 286:7	comment (5) 50:12,14 172:18 225:9 269:24	completion (1) 297:14	conclusion (9) 85:4,14 86:19 151:19 154:10 164:24 177:12 228:11 256:17	considered (5) 107:6,8 154:8,20 176:13
clear (5) 23:11 28:7,20 94:12 278:4	comments (2) 268:24 293:24			consistent (3) 144:21 180:4,20
client (5) 63:23 64:2,5 243:7,11	COMMISSION (1) 298:25			constituent (1) 140:14
clients (4) 46:15 64:6,7 92:24	communicated (1) 19:7			constituents (1) 190:22
clinical (1) 65:24	communication (6) 9:22 10:17 19:9 20:2 20:4 44:10			constitutes (2) 151:23 153:14
closer (1) 121:11	communications (7) 9:8,8,24 10:3,6 279:16,18			consumed (2) 76:7,12
closest (1) 116:23	Companies (15) 1:8 3:20,23 4:7,24 5:5 29:4,22 36:14 67:23 68:7 165:13 207:11 299:12,18			consumer (7) 232:7 233:14 237:12 252:12 260:12 268:21,23
coffee (2) 115:21 116:16	company (7) 28:24 29:17 52:8,21 66:10 82:15 274:22			consumers (12) 222:17 230:7,19 231:16 235:22,24 236:5,23 238:3,4 254:13,16
coincidence (2) 173:21 174:21				consuming (6) 222:18 230:7,20,21 231:17 270:22
cold (2) 110:20 173:8				contact (1) 270:10
collect (2) 283:15,17				
college (1)				

contacted (1) 274:22	172:5,10 173:11,22 173:23 174:9,11,13 174:15 265:13	138:13,15 149:6 158:12 160:22 161:6 173:4 175:12 191:22 195:18 215:6,22 216:2 218:3,7,10,17,20,25 219:5 223:8 225:17 235:4,10,11,13,14 245:23,24 252:7 266:4 270:23,24 271:15,18 284:4,19	187:8 191:14 264:19,22	date (11) 19:6 53:25 54:4 61:3 65:3 152:13,23 251:4 294:15 298:3 300:22
contain (9) 185:6,12 187:19 188:4 190:4 195:16 204:15,19 228:9	conversations (2) 14:24 55:4	Convicted (1) 67:3	court (8) 1:1 4:8,15 15:14 16:7 16:14 27:15 59:23	dated (10) 24:15,19 31:23 35:5 35:16 36:21,22 37:11 296:16 297:24
contained (10) 23:4 128:20,21,24 151:2 172:23 187:18,24 195:2 249:2	convince (1) 235:22	convinced (1) 236:23	crack (1) 227:15	dates (6) 16:20,21,22 118:3,17 119:6
containing (3) 120:7 196:4 249:8	convincing (1) 238:2	correctly (1) 215:14	cracking (1) 119:2	day (15) 16:25 19:18 33:9,16 76:15 110:20 123:11 124:6 133:13,16 173:18 174:18 225:11 266:25 298:23
contains (10) 160:17 178:10,12 195:6 206:9 224:8,9 240:6 274:3,4	cookie (4) 123:21 132:14,14 134:4	cost (24) 71:22 82:24,24 121:23 182:18,21 182:22,24 183:18 183:21,25 184:5,7,9 184:19 232:20 233:10 242:10,20 244:17 267:18,25 268:2,4	Craisins (3) 118:2,16 119:6	dead (1) 283:17
content (42) 9:7,21 10:17 33:4 106:10,18 133:22 134:5 160:9 161:11 161:25 163:20 166:5,6,15 167:4,21 176:12,17 196:24 197:6,14 202:20 208:21,21 214:11 214:15 224:25 225:17 235:4,9 249:17 254:15 261:6,7,10 262:9,12 262:16,18 284:12 284:16	cookies (26) 101:16,22 123:21,25 124:12 131:21,22 131:23,25 132:6,7 132:19 133:3,13,18 133:23 134:17,24 135:4,11,13,25 136:18,23 251:22 261:3	Costco (1) 290:15	create (2) 233:19 234:16	deceived (3) 236:4 254:12 272:15
contention (4) 188:12,13,14,17	cooperative (5) 1:7 4:6 29:17,21 299:17	counsel (51) 3:19,22 4:17 5:4 6:5,6 9:3 10:20 11:13,25 12:17,20 14:11 15:16 19:7 22:21 46:12,22,23 47:23 47:25 48:18 49:16 58:12 89:7,16 92:18 92:21 93:24 136:3 139:9,20 165:8 225:9 227:14 243:10,13 253:9,13 253:21 256:19,21 265:25 266:3,4 292:19,23 294:16 295:19 296:15 297:20	CRO (1) 66:10	deceiving (3) 235:23 236:25 238:4
contents (1) 254:24	Cooperative's (3) 29:8,12 299:15	Costco (1) 290:15	cross (3) 295:7,9,14	deceptions (6) 260:3,6,10,14 263:22 265:23
context (1) 68:16	copy (1) 240:17	counsel (51) 3:19,22 4:17 5:4 6:5,6 9:3 10:20 11:13,25 12:17,20 14:11 15:16 19:7 22:21 46:12,22,23 47:23 47:25 48:18 49:16 58:12 89:7,16 92:18 92:21 93:24 136:3 139:9,20 165:8 225:9 227:14 243:10,13 253:9,13 253:21 256:19,21 265:25 266:3,4 292:19,23 294:16 295:19 296:15 297:20	CRR (1) 1:24	deceptive (45) 45:10,16,24 47:17 84:25 85:2,7,12 86:13,17,22 87:3 89:12 91:18,20 94:8 96:4,12,20 97:5,14 97:15,23 109:10 148:20 151:8 165:6 176:3 197:20,24 198:7 227:16 228:5 228:14 229:10,13 238:17,21,25 246:21 247:5 261:16 274:16 282:22 288:12
contention (4) 188:12,13,14,17	copyright (1) 149:18	counsel's (3) 6:24 12:25 196:5	current (6) 88:20,22 114:16 137:13,16 202:23	decide (2) 109:2 169:8
contents (1) 254:24	copyrighted (2) 113:16 156:24	count (3) 127:18 134:2 212:5	currently (3) 118:8 131:17 242:5	decided (5) 48:11 77:10 98:23 99:2 162:18
context (1) 68:16	corn (15) 86:11,11 87:19 128:21,24 140:22 141:3,8 144:8,16 150:22,23 227:25 239:12 252:18	County (2) 75:15,16	custody (1) 279:12	decision (5) 169:5 174:25 176:21 232:18 260:5
continue (2) 99:11 110:16	corner (1) 193:14	counsel (3) 6:24 12:25 196:5	customer (2) 80:24 268:21	
continued (14) 97:17,21 100:9 107:9 108:19 128:14,18 128:25 145:8 148:17 156:10,13 284:9 286:3	cornstarch (1) 210:24	count (3) 127:18 134:2 212:5	cut (2) 108:12 148:23	
continuing (2) 22:4 211:4	correct (65) 18:19 20:10,19 33:8 35:10 38:13,22 39:21 40:21 42:20 49:21 72:21,22 74:13 77:24 78:14 84:12 95:22 102:3 105:9 106:7 114:25 119:5 120:4 124:10 124:11 133:5,8	course (11) 9:25 75:16 95:23 145:3 160:18 182:12 184:18	cv-05828-MKB-V... 1:2	
control (2) 72:9 279:12	corner (1) 193:14	couple (4) 7:8 123:12 171:14 181:4	D	
conversation (30) 10:23 11:5,6 12:3,5 14:5,13,25 24:23 50:9,11 51:6,8,14 53:22 60:7 109:14 110:17 171:11,19	cornstarch (1) 210:24	coupons (1) 182:15	D (3) 194:23,25 299:2	
	correct (65) 18:19 20:10,19 33:8 35:10 38:13,22 39:21 40:21 42:20 49:21 72:21,22 74:13 77:24 78:14 84:12 95:22 102:3 105:9 106:7 114:25 119:5 120:4 124:10 124:11 133:5,8	course (11) 9:25 75:16 95:23 145:3 160:18 182:12 184:18	dairy (1) 120:12	
	corner (1) 193:14	couple (4) 7:8 123:12 171:14 181:4	dairy-free (1) 130:21	
	cornstarch (1) 210:24	coupons (1) 182:15	Dale (3) 3:18 5:3,4	
	correct (65) 18:19 20:10,19 33:8 35:10 38:13,22 39:21 40:21 42:20 49:21 72:21,22 74:13 77:24 78:14 84:12 95:22 102:3 105:9 106:7 114:25 119:5 120:4 124:10 124:11 133:5,8	course (11) 9:25 75:16 95:23 145:3 160:18 182:12 184:18	dan (3) 4:22 5:17 224:12	
	corner (1) 193:14	coupons (1) 182:15	DANIEL (1) 3:12	
	cornstarch (1) 210:24	couple (4) 7:8 123:12 171:14 181:4	data (2) 66:3,11	
	correct (65) 18:19 20:10,19 33:8 35:10 38:13,22 39:21 40:21 42:20 49:21 72:21,22 74:13 77:24 78:14 84:12 95:22 102:3 105:9 106:7 114:25 119:5 120:4 124:10 124:11 133:5,8	course (11) 9:25 75:16 95:23 145:3 160:18 182:12 184:18		

decisions (1) 175:24 Declaration (3) 152:14,24 300:22 declare (2) 32:24 33:6 Defendant (9) 28:23 29:3,8,11,16 31:4 249:7 299:11 299:14 Defendant's (16) 30:23 31:2,13 33:2 34:5 36:6,9 43:15 43:20 75:15,18 204:14 234:16 299:21,23 300:4 defendants (28) 1:9 3:9 4:23 5:18 18:3 18:7 29:20 42:18 222:14,20 223:5 233:19 235:21 236:23 248:23,24 249:3 254:11,17 260:2,3 279:17 289:7 293:17 294:16 299:7,17 300:8 defense (2) 243:13 295:19 define (2) 181:3 219:20 definitely (6) 30:12 100:8 120:20 170:18 175:2 181:5 definition (7) 74:15 153:11 154:5 155:23 180:24 181:8 278:6 definitions (1) 154:13 degree (1) 65:7 degrees (2) 61:20 65:11 Demand (6) 23:24 24:2 25:11,14 299:9,11 demands (2) 293:16 296:9 Department (1) 152:18 depending (2) 121:7,10 depends (5) 72:3,6 132:23 178:17 181:8	depicted (15) 185:7,12 186:14,17 187:19,25 188:4,18 190:4 203:5 204:16 204:20 206:10 233:21 234:17 depictions (7) 27:19,19,21 40:23 41:7,16 260:2 deponent (3) 297:16 298:4,21 deposed (1) 15:11 deposition (74) 1:12 2:5 4:3,10 5:23 6:3,5,11 10:13 14:2 15:10 17:25 18:2,3 18:4,7,17 19:3,6,20 23:25 25:10 29:3,11 29:20 31:12 32:20 34:4 35:13 36:5 37:5 40:9 42:16 43:18 59:19,20 60:10,16,23 85:23 86:3 88:16 92:23 113:3 114:2 149:13 152:11 156:18 168:16 202:25 226:19,23 227:2,5,8 239:23 240:21 241:19 244:21,25 245:5,9 259:16 283:8 286:25 295:12 296:23 297:6,8,14,21 298:3 299:8 303:3 describe (3) 61:10 79:22 119:12 DESCRIPTION (4) 299:6 300:3 301:3 302:3 desk (1) 57:14 despite (8) 108:17 157:13 158:3 158:17 207:12 273:16 274:2,6 detail (2) 46:7 196:21 development (1) 66:4 devoid (4) 222:16 230:6,18 231:15 dextrose (1) 210:24	dicing (1) 153:24 diet (1) 134:20 difference (17) 141:13 142:20 143:3 155:25 156:4 158:21 159:12 160:7 200:3 217:11 228:15,23 229:22 232:17,19 255:17 256:3 differences (1) 203:7 different (26) 13:16 31:6 63:13 72:19 81:7 98:15 99:6 117:25 119:8 140:9 143:24 169:8 175:11 198:17,21 198:23 200:6 203:13,16,22 209:4 219:15 244:10 263:23 280:24 288:8 direct (6) 295:7,8,10,11,14,15 directed (2) 246:3,7 direction (2) 297:13 303:6 director (2) 62:18 65:24 discovery (3) 28:22 37:18 40:12 discuss (1) 14:14 discussed (2) 171:12 267:16 discussion (21) 5:2 7:9 35:4 42:23 43:22 50:15 59:5 76:2 85:19 97:20 133:2 156:21 171:3 174:24 201:11 227:12 237:22 240:3 266:23 268:19 289:21 discussions (5) 7:8 59:14,16 60:20 100:11 disinterested (1) 297:9 dismissed (1) 125:18 displayed (1)	189:9 dissecting (1) 98:3 distributed (3) 68:6 95:4,16 District (4) 1:1,1 4:8,9 disturbing (1) 119:3 document (38) 18:9 20:11,16 36:15 37:22,23 38:15,16 42:9,13 43:3 70:14 70:18 152:17,21 153:3 154:25 155:10,13 204:2,11 205:23 258:15,19 258:25 263:13,17 276:12,23 277:6 278:5 291:23 292:2 292:9,21 293:16 294:10 296:9 documents (52) 7:12,13 18:16 25:20 29:18,23 30:20 39:4 40:8,10,14 42:4,10 42:19 43:9,17,21 44:3,6,7,12,23 259:4 263:2,9 276:20 277:5,10,14 277:16,19,22,25 278:6,7,12,20,23,24 279:5,7,8,12,15,25 293:19,24 294:17 299:19 300:9 303:12 doing (8) 115:8 121:20 146:3 214:18 264:21 295:14,14,15 door (1) 119:14 double (4) 82:22 212:4 215:7 217:8 dozen (11) 82:8 84:22 87:4 179:24 184:8 237:25 244:10,12 244:13 250:12,20 Dr (4) 93:10,12,16 255:22 draft (2) 293:24 294:8 dried (6) 118:2,3,16,17 119:7	153:18 drink (4) 281:17,25 282:16,18 dropped (3) 212:6,12,13 drug (3) 66:4 152:19 154:6 due (1) 254:15 duly (2) 5:13 297:6 duties (3) 62:13 63:11,20 DV (1) 70:22 dye (1) 92:17 dyes (1) 92:3 <hr/> E <hr/> E (31) 3:1,1,17,17 5:10 96:18 177:17 178:13 195:3,7,10 195:17,25 196:10 196:13,15 241:11 248:16 252:22 255:5 271:18 274:5 297:2,2,2,2 299:2,5 300:2 301:2 302:2 e-mail (4) 19:23 292:3,11 296:15 E-mailed (1) 18:14 e.g (1) 153:24 earlier (29) 14:16 18:15 20:17 26:18 40:8 127:10 145:20 162:23 171:2 177:16 179:22 180:8,9,10 181:16 204:6 205:13 244:11 255:22 258:5 266:20 267:23 275:24 276:15 280:9 283:24 291:20 292:18 293:14 early (5) 10:12,18,23 149:20 293:20 easier (1)
--	--	--	--	--

16:15 East (1) 3:10 Eastern (2) 1:1 4:8 eat (11) 73:18,25 76:13 101:2 122:8 123:2,3,18 133:13 134:21 139:12 eaten (4) 73:23 291:6,9,12 eating (7) 51:2,3 73:15 123:10 230:24 254:19 255:11 economical (1) 121:21 educated (1) 99:8 educational (2) 61:10 65:5 eggs (1) 135:17 eight (29) 66:17,21 67:10 73:4 79:21,23 80:2,6 87:10 90:9 99:7,15 100:5 116:9,9,11 146:4,13 163:13 170:3 183:6,9 184:13 237:9,10,14 237:21 251:4 269:11 eight-year (3) 73:6 181:18 189:21 eight-year-old (1) 146:22 either (24) 6:22 25:23 26:9,15 27:4 28:10 45:2 58:3 87:20 90:24,25 91:8 108:23 126:3 176:15 180:18 206:5 225:22 232:10 238:21 270:7 274:23 287:15 297:20 Eleven (1) 38:4 Elisa (1) 125:5 Eliza (1) 125:5 Ellen (2) 3:18 5:3	emphasis (3) 249:11 252:5,11 emphasized (2) 249:3,10 employment (1) 61:24 empty (2) 283:9 302:11 enjoyed (1) 272:9 enrichment (1) 256:5 entail (2) 62:13 63:11 entire (7) 116:2,5 187:13 232:2 243:6,16 250:15 entirety (2) 187:15 243:8 entitled (15) 16:20,23 17:3 18:6 19:10 23:23 25:13 32:23 36:8 43:14 70:9 152:21 274:8 274:11,19 epiphany (1) 48:10 equal (1) 215:10 equals (1) 198:22 equivalent (2) 70:13 230:24 ERRATA (1) 298:1 especially (2) 199:12 264:17 ESQ (4) 3:6,12,18,21 essentially (1) 277:9 established (2) 214:18 216:24 estimate (3) 105:14 181:15 182:16 Estimated (1) 78:9 estimates (1) 182:10 estimating (1) 182:13 et (4) 150:23 153:25 223:9 241:4 event (1) 297:22	Eventually (1) 107:3 everybody (3) 170:16 272:5 274:18 evidence (29) 71:4 79:16 107:25 113:22 117:12 118:6 133:7,22 142:2,25 144:13 163:10 178:16 183:3,13 211:20 214:5 217:6 222:2 233:7 239:4,19 240:12 242:16 247:8 253:4 262:5 280:22 282:15 ex-husband (1) 59:20 exact (10) 16:25 44:18 79:16 94:18 111:2 138:15 174:5 176:7 200:19 204:11 exactly (7) 41:4 81:23 97:6 100:7 143:11 156:11 174:12 examination (5) 5:15 291:19 295:11 299:4,4 examined (1) 5:14 example (1) 215:2 excellent (2) 241:10 247:12 exception (1) 280:2 excludes (1) 153:12 executed (1) 33:8 executive (4) 62:12,15,17 63:2 exhibit (191) 17:25 18:3,6 23:23,25 25:9,10,13 26:7,7 26:19 27:5,5 28:21 28:23 29:2,3,7,11 29:15,20 30:23 31:11,12,15 32:12 32:17,20,23 34:2,4 35:11,13 36:4,5,8 37:3,5 38:2,16 39:7 39:14 42:16,21,22 42:24 43:3,13,18,23	75:7 85:21,23,25 86:3,5 88:14,16,18 103:20,25 104:24 113:2,3,6 127:7 138:12 149:8,12,13 149:16 152:10,11 152:17 156:18,22 158:6,12 179:2 202:25 203:4,5,23 205:25 222:8,11,12 226:19,20,23,24 227:2,3,5,6,8,10 227:14 229:25 239:22,23,25 240:15,21,23 241:19,20 244:21 244:23,25 245:3,5,7 245:9,11 248:3 254:9 259:16,18,24 276:11 278:5 280:8 282:7 283:8,10 286:22,23,24,25 287:3 292:6 299:6,7 299:9,10,11,14,17 299:20,22,23,24 300:3,4,6,7,9,11,12 300:14,15,17,18,19 300:20 301:3,4,5,6 301:7,8,8,9,10,11 301:11,12,13,14,16 301:17,18,19,20,21 301:22,23,24 302:3 302:4,5,6,8,9,10,11 302:12,13,15 exhibits (6) 29:25 226:12,15 242:24 245:13 284:2 existed (2) 113:19 114:10 existing (1) 52:13 expect (3) 15:22 121:23 230:9 expected (1) 261:17 expecting (1) 102:2 expense (1) 63:13 expensive (2) 82:21 121:17 expert (9) 93:13 141:5,6 152:2 154:11 199:4,17 214:6 256:2	EXPIRES (1) 298:25 extent (7) 15:19 40:24 59:8 85:3 113:21 199:12 240:11 extremely (2) 172:10 280:20 eye (1) 114:16 <hr/> F <hr/> f (3) 259:23 297:2,2 FA (1) 63:22 fact (33) 55:25 87:11 108:5,18 110:7 128:6,23 130:10,17,20,23 131:2 142:2 154:12 155:3 157:13 158:17 173:3 176:19 190:2 201:5 207:12 208:22 210:4,7 244:10 253:10 273:16 274:2,7 282:19 285:5,14 facts (36) 71:3 79:16 83:24,25 107:24 113:22 117:11 118:5 133:7 133:22 142:2,25 144:12 152:12,22 163:9 178:15 183:2 184:25 214:5 217:6 221:25 233:6 239:3 239:18 240:12 242:15 247:8 253:3 262:4 280:21 282:10,14 284:18 285:7 300:21 factual (2) 277:20 278:13 fair (2) 16:17 246:2 false (22) 91:23 109:11 148:20 151:8 165:5 176:3 177:18,22 191:5 197:20,24 198:7 229:10,13 230:15 231:3,7 233:20 234:16 235:17 246:20 247:5
---	---	---	---	--

familiar (1) 135:23	61:19	163:13,15,23 164:8	following (3) 59:9 185:5 187:23	268:7
family (13) 8:24 74:11,15 75:4,19 75:21,23 76:9,13 92:7 126:14 248:4,5	financial (1) 64:2	165:14,18 166:3,4 166:17,20 167:2,17 169:14,18 170:10 176:16 179:8 187:24 189:2,4 194:9,12,14,15,16 194:17,21 197:10 198:12 203:13 204:7 208:2,5 214:4 217:5 228:20 229:25,25 233:23 234:21 235:8 239:14 241:13 242:2 252:17,18 254:20 256:11,25 257:4 269:13,14 275:10,13 276:8,15 284:22 285:10,13 289:18 299:10,23 300:5,8	follows (3) 5:14 56:17 201:13	free (2) 203:10,12
far (3) 15:17 280:20 290:21	find (6) 97:14 120:2,6 244:9 246:20 261:23		food (15) 59:4 77:18,19 93:12 93:17,18 99:8 115:3 151:25 152:2,19,20 154:6 239:13 290:22	fresh (3) 119:15 120:2 282:20
Farm (2) 86:4 300:13	fine (3) 84:8 197:21 224:16			Friday (1) 33:21
farmer (1) 92:8	finish (2) 16:11,13		foods (24) 1:7 4:6,23 29:8,12,16 29:21 45:8 69:14,16 99:5 111:4 132:5 133:11,11 148:7 173:15 177:25 178:2 207:10 290:2 290:7 299:14,17	friend (14) 48:18,21 49:16,20,21 49:23 52:18,21 53:12 55:16 58:6,7 109:15 265:11
faster (2) 269:9 286:9	finished (3) 141:18 142:10 143:17			friends (1) 52:22
fat (19) 127:19 132:25 133:3 133:19 134:2,5,16 134:18,19,19 135:24 215:16,21 217:2 218:15,16 220:7 221:21 224:25	finishes (1) 257:23		Foot (5) 287:2,6,10 288:5 302:14	front (33) 37:24 39:4 51:2,3 57:14 91:6,20 92:9 109:4,12 127:6,11 127:13 144:22 151:7 155:21 172:23 193:15 195:10 203:19 222:25 228:19 238:10,11 239:11 240:8 263:2 265:17 284:4,17,25 285:3,5
fat-free (1) 131:3	Fir7st (1) 299:21	fish (1) 101:18	foregoing (2) 33:2 297:6	
FDA (10) 141:5 151:15,22 154:13 199:2,13,16 199:19,22 208:3	firm (16) 12:20 13:2,9,13,16 14:21 48:19 50:3 53:2,2,12 57:5,9,19 58:8 275:17	five (22) 10:25 11:8 66:17,21 78:9 83:6,7 90:11 119:22 120:5 140:12,13,16 141:14,14 184:8 198:17 216:25 233:4 239:14 244:12 283:13	Forest (5) 238:23 239:8,17,24 301:15	
February (5) 10:12,18,23 15:5 293:20	first (187) 6:9,10 18:11 24:23 25:10,13 26:16,20 26:24 27:6 30:24 31:2,13,18,19 33:3 33:16 34:5,15 36:6 36:9 39:23 40:20 41:20 42:18 43:16 43:20 45:3 47:24 58:18 67:7,14,25 72:13 73:7 74:4 75:6 76:22,23 77:4 77:6,21 78:5,7,8 79:18 80:14 84:9 87:7,17,23,25 88:4 88:6,23 89:21 90:2 90:15,20,24,25 91:16 95:20 97:15 99:14 100:4 102:21 103:8 106:24 107:2 107:16 108:24 109:7 112:21 113:12,19 114:5,11 114:22 122:14,22 122:25 126:7,14 127:21 128:3,9 129:4,8,20 130:7 137:14,17,20,25 138:24 140:4,6 145:7,17 146:4,7,25 147:5,8 148:14 149:5,9,24 150:4 157:3,15,17 158:7 158:23 159:3,13,24 162:8,18,25 163:6,7	flavor (5) 83:11 125:23 129:6 131:8 247:13	forget (1) 115:7	fruit (801) 7:20 45:13,14,19 46:9 46:16,18,19,20,21 47:2,2,2,3,8,8,9,13 47:15,18,18,19,19 47:20 48:17 50:23 51:7,17,17,24 53:3 55:5 58:11,21 60:21 67:7,14,21 68:21,24 68:25 69:4,5,9,10 69:11,17,21,24,25 70:17,19,22,23 71:18,18,22,24 72:14,15,17 73:15 73:18,25 74:8 75:18 76:8 77:7 78:2 79:4 79:6,9,13,23,25 80:8 81:19,20,21 82:16,18 83:13,16 84:14,15 85:24,24 86:4,24 87:7,15,15 87:18,20,22 88:5,8 88:14,17,17,23 89:5 89:10,14,15,15 90:3 90:21,21,25 91:2,7 91:8,9,12,12,13,19 92:8 93:6,6,7,18,19 93:19 94:2,2,3,6,7 94:17,17 96:15,21 97:2,19 100:13,13
feed (2) 98:20 264:16		flavored (21) 69:5,11 70:22,23 81:20 85:24 87:15 179:18 239:8 240:5 240:22 241:24 244:22 245:2,6,10 300:10 301:17,21 301:23 302:5	form (17) 22:19 46:10 47:10 52:3 133:6 141:18 142:24 145:11 152:6 188:6 193:12 199:11 201:3 260:21 270:25 272:11 286:13	
feel (1) 96:3		flavoring (1) 288:9	formula (4) 90:22 157:2 200:17 202:13	
field (1) 66:9		flavors (11) 70:21 83:21 86:25 92:2,9 210:25 227:23 238:9,12 241:25 247:13	formulation (1) 137:13	
Fifteen (1) 212:3		Floor (1) 2:7	forth (2) 209:4 277:21	
fifty (1) 200:8		flour (1) 135:16	found (1) 97:13	
file (2) 48:11 52:2		follow-ups (1) 291:18	four (18) 66:15 90:11 100:12 119:22 120:5 147:23 187:7,8 218:12 221:3,9,11 221:14,20 265:5 269:7 282:12 285:19	
filed (28) 22:18,21 23:4,8,9 24:15 26:3 55:8,11 56:2 67:5 90:6 125:9 159:7 165:10 165:13 204:2 207:14 236:18 251:5,12 262:21 271:24 275:7 293:4 296:6,16,19			frame (2) 247:20,21	
filled (3) 50:13 171:6 207:18			frankly (1)	
Finance (1)				

100:15 101:2,23,24
 101:25 102:7,22
 103:21,23 104:2,10
 104:12,17,23 105:7
 105:8,13,16 106:3,3
 106:8 107:12,13,19
 108:24,25 109:2,5,6
 109:7,11,20 110:17
 110:21 111:7,8,10
 111:13 112:6 113:7
 114:13,14,16
 115:13,17 116:22
 116:24,25 117:9,18
 117:18 118:15,18
 119:8,13,19 120:7
 120:25 122:7,8
 123:15,22,24,25
 124:2,3,4,5,6,8,10
 124:17,20 125:10
 125:13,19,21,23,24
 126:11,22 127:7,8
 128:20 130:12
 131:13,19 132:2,8
 132:21 133:4,20
 134:6,16 136:13,13
 137:12,13,14,16,17
 137:19,19,22,25
 138:4,5,7,7,12,25
 139:15,16,21,23
 140:9,12,20 141:12
 142:4,19 143:12,24
 144:7,10,15,17,19
 144:20,23 145:5,6,8
 146:5,20 147:9,20
 148:8,13,13,16
 149:2,8,17,17,24
 150:4,11,15 151:7
 151:12,12,13,23
 152:4,5,5 153:12,12
 153:14,15,17,17,18
 153:18,19,19,20,20
 153:21,22 154:7,7,8
 154:19,20,21
 155:10,11,11,17,19
 155:19,22,23,23
 156:2,3,7,7,8,11,12
 156:13,23,23 157:3
 157:4,15,18 158:6
 158:18,20 159:13
 159:14,19,20,22
 160:9,12,17,18,19
 160:21,21,24 161:3
 161:5,8,10,12,14,16
 161:17,18,21,23,23
 161:25 162:2,3,5,10
 162:12,24 163:16

163:20,22 164:2,5,7
 164:9,12,20 165:12
 165:23 166:5,6,14
 166:16,19 167:4,10
 167:21,23,24 169:3
 169:9,13,17,18,24
 169:25 170:11
 171:8,13,18 175:21
 175:22 176:11,13
 176:16,19,19,21,23
 177:3,6,7,10 178:11
 178:11 179:18,23
 181:6,10 182:18,19
 184:2,7,20 185:6,7
 185:11,12,15,16
 187:24,25 188:17
 189:9 190:8,9,17,18
 190:18,20,20 191:6
 191:6,16,18,18
 192:16,17 193:2,3
 193:16,20,25 194:2
 194:5,5,6,9,9,15,16
 194:20,25 196:24
 197:2,6,6,7,9,10,14
 197:14,15,16,22,23
 197:25 198:5,6,10
 198:15,17 199:7,7
 200:4 202:8,9,11,20
 203:13 204:15,19
 204:22 206:13,20
 206:23,25 208:22
 209:13,25 210:5,6
 211:7,7,8,8,14,21
 212:14,25 213:4,18
 213:25 214:12,19
 214:20 215:5,8,20
 215:24,25,25 216:2
 216:6,9,12,18 218:6
 218:13,16,23 219:4
 219:10 220:13,15
 220:17,22 221:10
 221:20 222:15,18
 222:21 223:23
 224:10 225:25
 226:5 227:20,21
 228:2,9,16,17,24,24
 229:8,9,13,16,18,21
 229:22 230:3,8,10
 230:12,17,20,21,22
 230:23 231:5,7,11
 231:17,18,19,22,23
 231:24 232:6,6,11
 232:13,13,21,22
 233:13,13,19,20,25
 234:17 235:4,9,16
 236:3,5,6,22,25

237:6,11 238:2,6,7
 238:11,24 239:8,8
 239:11,15 240:5,7
 240:22 241:5,9,11
 241:14,20,24,24
 242:9,12,21 243:9
 243:16,25 244:17
 244:22 245:2,6,10
 245:16,22 246:17
 246:22 247:13,13
 247:15 248:13,17
 248:17,25 249:2,8,9
 249:12,13,17,24,25
 250:8,12,21 251:2,3
 251:20,23,24,24
 252:7,17,19,20,25
 253:5,7,11,12 254:4
 254:5,15,15,17,19
 254:22,25 255:2,3,6
 255:7,11,13,13,18
 256:3,4,11,12,13,25
 257:2,2,3,3,5,5,6,8
 257:10,11,16,18
 258:2,3 259:17
 260:5,16,21,25
 261:6,7,10,14,15,24
 262:2,8,12,13,16,18
 263:22,23 264:2,9
 264:16,25 265:8,24
 266:12,15 267:17
 267:18 268:4,8
 270:24 272:6,21
 273:17 274:5,5
 280:8,11,13,16
 281:2,5,13 282:12
 283:6 286:11 287:2
 287:2,3,6,6,6,7,9,9
 287:10,13,21,22,23
 287:25,25 288:5,5,6
 288:7,8,9,10 290:23
 291:2,4,6,10,13
 300:10,10,13,16,16
 301:17,19,21,23
 302:4,7,9,14,14,15
fruit's (1)
 149:5
fruits (23)
 119:7,15,15 120:2,12
 152:3 186:13,17,22
 187:18,18,19,25
 188:4 190:4 193:9
 202:3 204:16,20
 206:10 223:16,17
 254:24
Fruity (2)
 239:24 301:15

full (13)
 5:19 271:21 272:6,12
 272:16 273:3,5,10
 273:14 274:8,12,20
 274:24
full-time (1)
 269:7
further (4)
 291:16 296:12,21
 297:19

G

gather (2)
 44:6 259:4
geared (1)
 78:19
gelatin (3)
 70:21 210:23 239:13
general (7)
 3:19,22 5:4 57:13
 82:15 179:11 277:8
generally (3)
 44:25 45:5 57:23
generic (1)
 219:16
Georgia (1)
 93:18
getting (4)
 123:7 124:4 162:9
 230:10
girls (5)
 66:18,19,21 146:23
 246:4
give (40)
 16:4,24 17:5,8 57:24
 73:8 95:11 101:7,22
 105:10 106:4 111:4
 126:22,24 131:20
 131:21 132:4,13
 133:10,16 134:21
 134:24 135:4 136:9
 173:15,16 175:4,6
 175:21,25 176:19
 197:6,7 198:4 208:9
 228:21,25 229:3,6
 247:10
given (5)
 42:21 228:18 229:3
 229:11 231:4
giving (4)
 15:23 97:6 102:2
 108:11
Glucose (1)
 210:23
gluten (3)
 70:21 203:10,12

gluten-free (1)
 130:18
go (39)
 6:2 11:13 15:9 21:19
 51:23 57:3 102:12
 122:21 123:4 136:7
 143:2 152:7 182:8
 185:15 199:24
 209:20 212:20
 220:6,13 222:6
 227:13 229:24
 238:14 239:11
 241:8,8,20 244:8
 258:11 266:16
 270:7 277:2,3,12
 279:21,23 289:3
 290:8 301:19
goes (3)
 132:15,17,18
going (72)
 9:6 15:12,13,14 16:3
 16:14 17:24 20:3
 23:22 25:8,9 28:23
 28:25 29:7,16 30:20
 32:11 33:25 35:11
 36:3 42:13 43:12
 51:24 53:5 59:24
 60:14,22 70:3,6
 72:9 84:7 88:13
 101:7,8 103:2
 140:11 141:25
 149:11 151:21
 168:23 170:14,18
 189:24 191:11
 197:6,15,16 198:25
 199:24 209:22
 211:2 212:13,22
 217:15 224:16
 226:11,14 229:3
 231:24 236:16
 240:14,16 242:23
 243:5,6 276:10
 277:3 279:21 282:4
 283:13 291:22
 292:8
gold (5)
 101:18 208:23 210:7
 210:12 226:6
Gold-Bears (2)
 226:20 301:6
goldfish (1)
 251:23
good (13)
 5:16 100:18,22
 102:25 111:4
 114:18 131:16

166:7 170:15 197:21 199:3 212:15,16 goodie (1) 136:25 gosh (1) 164:14 grabbed (3) 80:2,10,14 grabs (2) 70:2 94:14 graduate (1) 61:16 graduated (1) 65:7 grams (32) 106:22 107:6 108:6 108:15,18 127:11 127:19,20 128:8 172:24 211:13,14 215:3,8,15,16,21 217:2,23 218:10,25 225:15,20 265:17 282:11,25 283:25 284:3,24 285:2,6,24 granola (4) 115:20 116:16 117:2 117:6 grape (23) 140:13,15 141:10,19 143:14,22 150:11 185:20,24,25 186:2 189:13 190:24,25 199:8 200:22,24 201:14,16 239:9,10 240:8 281:20 grapes (6) 186:3,4,5,8 189:14,16 great (3) 134:11 227:20 273:10 greater (3) 233:22 234:18 235:18 green (3) 186:3,6 189:14 Grimm (7) 2:6 3:2 4:20 50:2 57:5 57:9 275:17 grinding (1) 153:24 groceries (2) 290:10,17 grocery (1) 289:24 ground (4) 6:2 15:10 16:9 33:5 grunt (1)	27:13 grunts (2) 16:6,8 guess (7) 16:24 47:6 51:22 174:17 180:6 196:2 293:2 Guidance (3) 152:15,25 300:24 gummi (9) 208:11,12,23 210:8 213:5 219:11 226:7 226:20 301:6 gummy (26) 207:18,19,23 209:6 209:10,19 210:2,6 210:13,20 216:20 216:21 219:21,23 220:3,4,7,8 221:11 225:10,11,22 226:2 226:18 227:9 301:13 Gushers (5) 287:3,7,10 288:6 302:15 guys (2) 59:18 198:11 <hr/> H <hr/> H (5) 5:10 299:5 300:2 301:2 302:2 H-a-l-l (1) 5:22 half (6) 105:3,3 147:8,10 179:24 251:12 Hall (412) 1:3,13 2:1,5 4:1,4,4 4:21 5:1,16,21,21 6:1 7:1 8:1 9:1 10:1 11:1,23 12:1 13:1 14:1 15:1 16:1 17:1 18:1,3,5,8 19:1 20:1 21:1 22:1 23:1,25 24:1 25:1,10 26:1 27:1 28:1,25 29:1,3 29:6,10,11,14,19,20 29:24 30:1 31:1,12 32:1,20,21,24 33:1 34:1,4 35:1,13,14 36:1,5 37:1,5,6 38:1 39:1 40:1 41:1 42:1 42:16 43:1,18 44:1 45:1 46:1 47:1 48:1 49:1,11 50:1 51:1	52:1 53:1 54:1 55:1 56:1 57:1 58:1,15 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1,13,18 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1,23 86:1,3 87:1 88:1,16 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1,3 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1 126:1 127:1 128:1 129:1 130:1 131:1 132:1 133:1 134:1 135:1 136:1 137:1 138:1 139:1 140:1 141:1 142:1 143:1 144:1 145:1 146:1 147:1 148:1 149:1 149:13 150:1 151:1 152:1,11 153:1 154:1 155:1 156:1 156:18 157:1 158:1 159:1 160:1 161:1 162:1 163:1 164:1 165:1,11 166:1 167:1 168:1 169:1 170:1 171:1 172:1 173:1 174:1 175:1 176:1 177:1 178:1 179:1 180:1 181:1 182:1 183:1 184:1 185:1 186:1 187:1 188:1 189:1 190:1 191:1 192:1 193:1 194:1 195:1 196:1 197:1 198:1 199:1 200:1 201:1 202:1 202:25 203:1 204:1 205:1 206:1 207:1 207:10 208:1 209:1 210:1 211:1 212:1 213:1 214:1 215:1 216:1 217:1 218:1 219:1 220:1 221:1	222:1 223:1 224:1 225:1 226:1,19,23 227:1,2,5,8,8 228:1 229:1 230:1 231:1 232:1 233:1 234:1 235:1 236:1 237:1 238:1 239:1,23 240:1,21 241:1,19 242:1 243:1 244:1 244:21,25 245:1,5,9 246:1 247:1 248:1 249:1 250:1 251:1 252:1 253:1 254:1 255:1 256:1 257:1 258:1 259:1,16,22 260:1 261:1 262:1 263:1 264:1 265:1 266:1 267:1 268:1 269:1 270:1 271:1 272:1 273:1 274:1 275:1 276:1 277:1 278:1 279:1 280:1 281:1 282:1 283:1,8 284:1 285:1 286:1 286:25 287:1 288:1 289:1 290:1 291:1 292:1 293:1 294:1 295:1 296:1 297:1 299:1,3,7,8,9,10,11 299:13,14,16,17,20 299:20,22,22,23,24 299:25 300:1,4,6,6 300:7,7,9,12,15,18 300:19,20 301:1,4,5 301:6,8,9,11,12,14 301:17,19,21,23 302:1,4,6,9,11,13 303:1 Hall's (3) 42:17 43:15,19 handful (1) 87:10 Hang (1) 27:10 happen (1) 15:12 happened (3) 17:2 53:11 174:13 harass (1) 243:11 harassing (1) 243:7 hard (1) 247:2 Haribo (15) 208:11,23 210:7,12	212:25 213:4 219:11,20 225:10 225:13,17 226:6,16 226:20 301:6 harm'd (1) 272:15 health (11) 152:18 160:20 222:16 230:6,10,18 231:6 231:15 254:18 255:10 256:6 healthful (49) 204:17 205:2 206:10 206:25 207:4,16,21 209:25 210:7,11 213:4,8,9 216:16,17 219:9,11 220:10,12 220:23 221:8,11,13 221:22 222:4,15,21 222:24 223:2,12,14 224:2,3,5 225:25 226:5 228:13 230:4 249:5,5 250:5,5 252:6,25 253:11 254:5 260:22 280:17 281:5 healthfully (1) 223:16 healthier (10) 79:3 160:20 163:25 164:4,16 166:11 224:8 231:23 264:21 265:7 healthy (4) 111:3 248:3,8 280:13 hear (1) 67:25 heard (11) 67:13,22 68:3,13,16 93:9 124:24 125:5,9 255:23 289:10 hearing (1) 107:16 Heights (3) 5:11 61:7,9 held (2) 2:6 4:10 Hello (5) 243:3 244:22 245:14 245:25 301:21 herby (1) 297:5 hereto (1) 297:18 hey (4) 52:6 109:2,20,20
--	---	---	---	---

high (3) 107:7,8 175:23 higher (4) 214:11,15 225:16,16 Highway (1) 115:10 history (5) 8:19,22 61:25 182:9 258:12 home (5) 98:21 126:18 136:25 172:17,20 homemade (5) 132:6,7 133:18 135:9 135:12 Homestead (2) 5:11 61:6 honestly (4) 57:10 58:4 60:9 233:2 hope (1) 240:16 Horowitz (4) 3:18 5:3,3,8 hour (1) 224:16 hours (1) 269:11 house (9) 50:19,20,24,25 76:7 99:6 111:4 127:2 175:6 household (1) 94:14 Human (1) 152:18 hundred (10) 45:15,19,21,23 96:16 96:17 196:7,8,21,21 hunger (3) 271:8 273:19 274:4 husband (21) 58:13 60:8 65:22 72:24 73:17,18,23 74:12,17,22 75:3,24 76:4,8 77:14,15,19 123:3 270:12,19 288:23 husband's (2) 58:14 64:24 hypocritical (1) 154:14 hypothetical (2) 201:6,7 hypothetically (1) 201:21	<hr/> I idea (6) 160:2,5 202:17 204:21 257:15 285:13 identical (1) 94:16 identification (37) 18:5 24:3 25:12 29:6 29:14,24 31:14 32:22 34:6 35:15 36:7 37:7 42:19 43:21 86:2,6 88:19 113:5 149:15 152:16 156:20 203:3 226:22,25 227:4,7,11 240:2,24 241:22 244:24 245:4,8,12 259:19 283:11 287:4 identified (3) 216:20 278:7,23 illegally (2) 256:10,15 illustrations (1) 27:22 impact (1) 174:24 impair (1) 17:12 implied (1) 223:11 imply (2) 247:14 288:6 implying (1) 253:25 important (7) 72:2,7 201:2,18 202:6 286:17 289:13 impression (3) 233:20 234:17 235:18 improper (3) 154:14 294:4 295:16 include (1) 153:18 included (1) 78:13 includes (2) 126:7 278:8 including (6) 94:24 150:22 185:3 251:13 260:8 279:9 inconsistency (1) 91:11 Incorporated (3) 4:6,7,14	incorrect (1) 148:20 INDEX (1) 303:3 Indicating (1) 193:17 Industry (3) 152:15,25 300:24 influencing (1) 260:4 information (11) 8:8,12,18 14:15 20:24 24:25 142:3 172:4 292:18,22 295:25 ingredient (155) 46:18 87:17,23 88:4,6 88:7,23 89:18 90:12 90:18,19,25 91:7 94:24 95:21,24 96:3 96:5,13 97:10,22 98:2,4,5,8,14,16 99:2,12 106:9,17,20 108:5,23,25 109:6,8 110:6 112:17,21 114:5 127:10 128:17,19,19 137:14,18,18,20,25 138:8,17,24,25 139:16,22 140:5,7 140:22 141:9 142:22 144:8,11,17 144:20 145:5,7,13 145:18,24 146:15 146:20,25 147:6 148:4,10,13 149:6,9 149:25 150:4,9,20 151:5 155:18 156:9 157:3,11,14,15,17 157:17 158:5,7,11 158:18,20,25 159:13,24 171:18 172:22 178:4 186:21 187:12 189:22,25 190:5,10 191:5,13,15,17 192:2,7,15 193:4 194:9,15,17,21 197:11 198:9,12,24 200:7,25 201:17,22 202:4,5 203:14 208:4,6 210:19 214:8 215:13 224:8 227:23 234:22 238:14 242:3 252:17,19,21 256:11,12,25 257:4	265:16 284:2,19,22 285:2,14 ingredients (65) 83:25 84:2,3,9 85:10 86:8,9 88:11 92:16 92:20 93:3 95:3,15 97:9,12 112:13,19 113:15 128:6 132:12 135:13,15 137:23 139:4 141:14 142:7,12,19 143:9 146:6,8,18 150:22 153:21 154:2,12 158:25 160:10 178:7 185:15,23 188:23 190:15,17,18 198:13,16,17 208:21 209:3 210:22 214:7 228:2 234:21,23,24 239:14 240:25 241:11,13,25 257:9 257:12 258:2 274:16 initial (2) 12:5 14:13 initially (1) 81:12 inside (1) 120:17 instruct (1) 59:25 INSTRUCTION (5) 9:19 14:19 19:9 20:2 44:10 instructs (1) 15:18 intake (5) 45:20,22,24 99:9 108:12 intended (1) 247:14 interested (2) 277:9 297:22 Internet (1) 111:23 interrogatories (45) 7:25 8:6,9 18:19 20:7 24:25 27:25,25 28:17 29:5,9,13 30:19,24 31:3,5,14 33:3 34:3,6,9 36:7 36:10,13 37:19 41:4 41:9,13 42:6,25 43:2 81:6 179:3,4	205:16,18 277:15 294:9,10 296:9 299:12,15,21,24 300:5 interrogatory (8) 20:18 22:7,9 28:24 42:6 48:4 74:10 184:24 introduce (1) 4:17 investigation (2) 46:23 165:9 invoices (1) 279:9 involved (2) 288:19,23 involves (1) 59:9 Island (1) 65:10 issue (10) 54:5 59:12,18 94:6 106:12,14 122:3,5 144:19 246:16 issues (2) 199:5 276:20 item (1) 148:6 items (3) 92:6 216:13 219:17
	<hr/> J January (1) 152:17 jellies (1) 68:22 Jersey (11) 1:14 2:7,11 3:5 4:11 5:12 61:7 75:14,15 115:11 277:7 Jesus (1) 135:16 job (6) 1:25 62:13,20,23 63:11 269:7 Joe's (1) 290:11 John (2) 58:15 64:25 joined (2) 23:17 62:10 Jones's (1) 94:17 JOSHUA (1) 3:21 Judge (1)			

59:12 juice (101) 47:2,8,19 70:20 79:14 84:5,14 86:12,24 87:20 90:21 91:2,8 91:12 93:6,19,19 94:2 108:24 109:6 145:6 148:14 150:10,12,21 151:6 151:12 152:5 153:21 154:7,20 155:10,19 156:11 157:4,15 158:6,18 159:14,20,23 160:12 178:11 190:9,17,18,20 191:6,18 192:16 193:3 194:5 202:12 211:8 216:2 227:21 228:2,9,16,24 229:13,21 237:6 238:8,12,12,16,16 239:11,12 241:4 248:17 255:3,7 257:3,5,14,16 273:17 274:5 280:11,13,18 281:3 281:6,8,9,10,13,14 281:18,18,20,20 282:3,9 283:4,5,6,9 302:12 juices (1) 84:5 Juicy (4) 238:23 239:8,24 301:15 jumped (2) 71:10 72:15 June (4) 26:3 65:4 165:14 204:2 junk (1) 248:12 jury (9) 23:24 24:2 25:11,14 210:18 216:5 217:10 299:9,11 juxtapose (1) 148:15 <hr/> K <hr/> keep (7) 84:7 136:2 137:5,7,10 191:10 211:2 kept (1) 181:23	kernel (1) 210:25 kid (2) 99:19 102:2 kid's (1) 123:16 kids (73) 51:3 66:12 69:16 74:13,16 75:21 76:4 76:4,13,15 77:18 99:17 100:12 101:5 101:8,10,22 102:24 103:8,15,17 106:15 111:4 119:10 122:8 122:14,21 123:14 123:18 124:9 126:2 126:5,6,12 129:5 131:8,20 132:2,4,6 132:13 133:12 136:7,22 137:3 146:10 161:5 166:7 166:23 167:5 175:7 175:21,25 176:18 197:6,7 209:12,20 216:10 246:9 248:6 264:16 265:5,7 269:8 273:18 274:4 281:16,24 286:18 286:19 289:15 291:9 Kim (5) 13:18,21 14:2 275:22 275:23 kind (8) 15:11 27:11,13 105:22 131:23 182:4 211:8 281:8 kinds (1) 189:15 Kitty (5) 243:3 244:22 245:14 245:25 301:21 knew (18) 50:25 58:6 110:5,25 161:4 171:14 172:21,24 175:10 223:21 230:25 231:4,5 232:2 265:15 284:12,16 285:24 know (296) 13:13,15,17 15:21 16:25 17:2 19:11,13 21:13,18 26:6,8 27:14 28:10,14,15 30:25 33:3 37:24	38:2 44:2,11,22,24 47:11,12,14,18,21 50:7 51:6,7,19 52:6 52:11,14,20,22,22 53:11,19 55:10 58:5 58:7 59:3 65:6 66:8 68:5,8 69:18 71:13 71:21 77:13 79:16 79:20 80:9,10,13 82:13,15,20 83:14 85:5,17 87:9,24 88:2 92:19 93:2,5 96:25 97:4,7 98:3,9 98:22 101:24 104:8 104:15,19 111:5,12 112:13 114:17 115:9 116:5,11 117:10 119:11 121:16 127:25 128:3 132:11,14,15 133:22 134:25 139:10,13 142:11 142:14,15 143:8,10 148:25 157:21 158:2 159:17,22 160:2 165:3,4,6,9 168:22 170:5 171:10 172:18 174:5 175:5,8,23 177:20,24 178:4,6,9 181:5,24 182:3,17 184:17,17 187:9 188:10 193:6,22 194:5 195:14,19,23 196:2,23 197:19,25 198:10 199:16,19 199:21 200:11,12 200:14,19 202:8,11 202:15 203:13 204:24 205:3,10,11 205:12 206:12,17 206:18,18,19 207:6 207:6 210:9 211:22 212:12 213:6,10,12 213:14,16,20 214:10,19 220:21 221:5,5,17,18,22 222:5 225:3 231:22 232:9 233:2,8,10,16 235:12,20 237:8,9 237:14 238:19,20 238:22 239:20 242:5,6,8,20 246:24 246:25 247:9,16 248:15,21 249:14 249:16,20,23 250:2	251:11,23 253:10 253:14,17,18 254:2 254:2,3,4 255:4,8 255:17,19,20,25 256:2,20,22 257:7 258:4 259:3,5,6,11 261:8,9,10,12,13,18 261:20,22 262:6,10 262:14,15,19 263:25 264:8,11,13 265:21 266:14 267:5,10,14,17 268:22 269:12 270:13 271:22 272:8,13,17 273:11 273:15,21,22 274:13,14,15,17,18 274:21 276:18,25 278:15,18,19 281:12,12 282:23 282:23 285:17 286:11,15 288:15 knowing (3) 101:4 235:16 286:4 knowledge (16) 12:23 54:8,9 55:10 58:24 65:12 82:12 136:12 139:12 193:5,6 213:19 278:11 288:24 293:12 295:22 knowledgeable (3) 151:22 152:4 173:14 known (7) 71:9 261:5,11 262:8 262:11,17 263:21 knows (2) 48:19 52:21 <hr/> L <hr/> L (4) 3:17 5:10,10,10 L-a-u (1) 125:3 L-a-u-r-e-n (1) 5:21 label (93) 68:5 69:24 85:2,7,12 85:25 86:7,13 88:12 88:18 89:13 90:16 91:17,19,21 94:7 96:4 97:9,13 107:3 112:8,10 113:4,7,12 113:16,18,18 114:4 114:9,10,12 127:6 137:16 138:15	142:22 148:5,21 149:5,14,16,19,21 150:7,13 151:2 155:15 156:19,22 156:23,25 157:5,8 157:16,22 158:3 162:3 165:5 172:23 175:10,11,13 176:3 176:25 187:6 188:18 191:9,12 197:21 202:22,23 203:2 228:4 229:10 229:12 234:4,5 252:21 281:11 282:3,22 284:4,25 285:3,5,11 288:5 300:11,17,18,19 301:4,5 Label-wise (1) 164:10 label(physical (2) 86:5 300:14 labeled (1) 4:3 labeling (15) 79:17 114:4 154:12 185:4 187:11,12 233:18,21 234:7,18 249:4,10 252:6 254:12 288:13 labels (21) 90:7,8 94:23,24 112:25 146:17 148:3 152:13,22 161:21 163:12 167:12 169:5 187:8 189:23 203:8 209:4 229:7 284:3,17 300:21 Lake (3) 5:11 61:6,9 large (1) 94:12 larger (1) 121:12 latest (1) 186:25 Lau (2) 124:25 125:3 laughing (1) 182:3 Lauren (335) 1:3,13 2:1,5 4:1,4,4 4:20 5:1,21 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1
---	--	--	--	--

16:1 17:1 18:1,4,8
 19:1 20:1 21:1 22:1
 23:1 24:1 25:1 26:1
 27:1 28:1,25 29:1,5
 29:9,13,19,24 30:1
 31:1 32:1,21,24
 33:1 34:1 35:1,14
 36:1 37:1,6 38:1
 39:1 40:1 41:1 42:1
 42:17 43:1,14,19
 44:1 45:1 46:1 47:1
 48:1 49:1 50:1 51:1
 52:1 53:1 54:1 55:1
 56:1 57:1 58:1 59:1
 60:1 61:1 62:1 63:1
 64:1 65:1 66:1 67:1
 68:1 69:1 70:1 71:1
 72:1 73:1 74:1 75:1
 75:13 76:1 77:1
 78:1 79:1 80:1 81:1
 82:1 83:1 84:1 85:1
 86:1 87:1 88:1 89:1
 90:1 91:1 92:1 93:1
 94:1 95:1 96:1 97:1
 98:1 99:1 100:1
 101:1 102:1 103:1
 104:1 105:1 106:1
 107:1 108:1 109:1
 110:1 111:1 112:1
 113:1 114:1 115:1
 116:1 117:1 118:1
 119:1 120:1 121:1
 122:1 123:1 124:1
 125:1 126:1 127:1
 128:1 129:1 130:1
 131:1 132:1 133:1
 134:1 135:1 136:1
 137:1 138:1 139:1
 140:1 141:1 142:1
 143:1 144:1 145:1
 146:1 147:1 148:1
 149:1 150:1 151:1
 152:1 153:1 154:1
 155:1 156:1 157:1
 158:1 159:1 160:1
 161:1 162:1 163:1
 164:1 165:1,11
 166:1 167:1 168:1
 169:1 170:1 171:1
 172:1 173:1 174:1
 175:1 176:1 177:1
 178:1 179:1 180:1
 181:1 182:1 183:1
 184:1 185:1 186:1
 187:1 188:1 189:1
 190:1 191:1 192:1

193:1 194:1 195:1
 196:1 197:1 198:1
 199:1 200:1 201:1
 202:1 203:1 204:1
 205:1 206:1 207:1
 207:10 208:1 209:1
 210:1 211:1 212:1
 213:1 214:1 215:1
 216:1 217:1 218:1
 219:1 220:1 221:1
 222:1 223:1 224:1
 225:1 226:1 227:1
 228:1 229:1 230:1
 231:1 232:1 233:1
 234:1 235:1 236:1
 237:1 238:1 239:1
 240:1 241:1 242:1
 243:1 244:1 245:1
 246:1 247:1 248:1
 249:1 250:1 251:1
 252:1 253:1 254:1
 255:1 256:1 257:1
 258:1 259:1 260:1
 261:1 262:1 263:1
 264:1 265:1 266:1
 267:1 268:1 269:1
 270:1 271:1 272:1
 273:1 274:1 275:1
 276:1 277:1 278:1
 279:1 280:1 281:1
 282:1 283:1 284:1
 285:1 286:1 287:1
 288:1 289:1 290:1
 291:1,17 292:1
 293:1 294:1 295:1
 296:1 297:1 299:1,3
 299:8,13,16,20,22
 299:25 300:1,6,7
 301:1 302:1 303:1
law (5)
 13:13 50:3 57:5,9,19
Lawrence (2)
 2:7 4:11
laws (1)
 33:7
lawsuit (28)
 22:17 23:3 48:11 52:2
 55:8,11 56:2 57:25
 58:16,19 59:7 66:23
 90:5 125:9,18 159:6
 165:10,13 251:11
 270:11,16 271:20
 271:24 272:18
 275:7 288:18,19,24
lawyer (22)
 12:23 13:8,11 14:21

23:13 49:23 50:2
 52:7 53:4 56:7,20
 56:23 57:3,5,14,25
 58:2,6 212:10
 275:16,21 277:7
lawyers (4)
 23:19 199:4 270:15
 275:11
layperson (2)
 199:6,25
layperson's (1)
 154:18
lead (3)
 295:7,7,16
leading (6)
 293:25 294:2,22,25
 295:6,24
leads (1)
 222:23
leap (1)
 52:2
learn (8)
 48:2 139:7,8,11
 182:23 183:21
 265:22 276:3
learned (6)
 53:14 58:18 59:6
 139:13 264:10,24
led (1)
 260:12
left (5)
 7:9 119:23 120:6,21
 193:9
left-hand (1)
 193:14
legal (13)
 4:14 17:23 25:20 85:4
 85:13 86:19 151:19
 154:10 164:24
 177:12 228:11
 256:17 263:2
lemon (2)
 227:22 239:10
let's (33)
 45:12 48:8,16 62:24
 63:22 66:6 67:9
 79:12 85:20 86:23
 140:21,23 142:18
 152:9 177:15
 184:23 207:23
 208:9 217:20 222:6
 222:18 227:13
 229:24 237:16
 239:21 240:4 241:8
 244:19 247:22,24
 249:6 257:22 277:2

letter (2)
 270:5 277:6
letters (1)
 80:9
life (2)
 16:14 129:17
lifestyle (1)
 265:2
liked (6)
 100:6,8,8,13,14
 271:10
limit (2)
 108:12 136:24
limited (3)
 82:8 185:3 279:9
line (18)
 227:24 243:6 303:7,7
 303:7,7,13,13,13
 303:18,18,18,18,23
 303:23,23,23
lines (1)
 109:17
list (100)
 87:20 88:8 89:18
 90:12,18,19 91:7
 94:24 95:21,24 96:3
 96:5,13 97:10,22
 98:2,4,5,8,14,16,22
 99:2,12 106:9,17
 108:5,23 109:6
 110:6 112:17,21
 114:5 127:10
 128:17,19,19
 137:18 138:18,25
 139:4 143:9 144:21
 144:21 145:5,13,18
 145:24 146:15,20
 146:25 147:6
 148:10,13 150:9,20
 151:5 155:18 156:9
 157:11,14,17 158:5
 158:11,18,20,25
 171:18 178:4
 186:21 187:12
 189:25 190:5,10,15
 190:19 191:5,13,17
 192:2,7,15 193:4
 194:17 198:17,18
 198:21,24 200:7
 202:4 208:6 210:20
 215:13 227:24
 238:14 265:16
 284:19,22 285:2,14
listed (20)
 87:17 88:6 106:16
 141:3 142:21,22

186:19,20 188:22
 189:9 191:5,18
 192:17 193:3,10
 198:8,16 200:3
 202:4 234:23
listing (2)
 200:6 227:25
lists (4)
 137:19 150:10 189:22
 199:8
literally (2)
 166:12 247:18
litigation (1)
 59:10
little (9)
 40:17 71:10 99:8
 121:7 154:14 219:3
 256:13 257:9 258:3
live (1)
 290:21
local (1)
 130:5
located (1)
 71:2
location (2)
 19:7 115:5
long (20)
 6:19 7:5,7,20 9:10
 10:22 11:6 12:3
 48:14 54:3 62:8
 63:2 66:5 110:14
 142:22 149:5
 171:11 200:23
 201:16 202:3
longer (2)
 175:15,19
look (86)
 18:21,24 24:4 29:25
 34:7 35:16 36:11,21
 39:5 42:24 43:23
 72:11 75:6 79:3
 83:7,23 85:8,10
 86:7 88:7,11 89:19
 90:2,7,8,12 96:22
 97:8 98:5,8 106:9
 108:14 112:20,24
 113:6,15 116:13
 117:15 128:5
 134:20 145:23
 148:5 150:9,19
 154:16 163:25
 169:4 178:25 179:8
 180:17 182:8
 184:23 194:8
 203:23 204:12
 207:23,24 208:11

208:17 210:5,6,19 213:21,22,22,23 215:12 217:20,22 225:4,12 227:23 235:21 238:24 240:4 245:13 247:24 254:8 258:11 259:22 263:5 276:10 277:13 282:2,21 287:19	lucky (1) 225:11 lugging (1) 240:20 lunch (14) 123:16,23 124:7,9 126:25,25 127:4 135:4 170:15,19,23 282:16,17 290:8 lunchbox (1) 123:22 lunches (5) 76:17,18 100:3 123:7 124:16 Lynch (3) 62:2,3 63:14	294:18 mark (30) 23:22 25:9 28:21 30:22 31:10 32:11 32:16 36:4 37:3 42:20 43:12 56:21 85:18,18,20,21,22 88:14 113:2 149:12 152:9 226:11,14 239:21 240:14 241:17 242:23 244:19 282:4 286:22 marked (44) 17:25 18:5 24:2 25:12 29:6,14,24 31:14 32:21 34:6 35:14 36:7 37:6 42:19 43:21 86:2,6 88:19 103:20,25 113:4 149:14 152:16 156:19 203:2 226:21,25 227:4,7 227:11 240:2,24 241:21 244:23 245:3,7,12 259:18 280:7,10,10 283:11 287:4 303:22 marker (1) 54:3 market (8) 62:15,16 69:19 222:14,20 223:5 253:12 288:10 marketed (1) 224:3 marketing (11) 223:4 230:3 233:18 233:23 234:3,6,11 249:3,10 252:5 254:12 marking (2) 85:16 292:5 married (1) 64:22 Master's (1) 65:13 material (3) 153:23 232:6 233:14 math (3) 121:20 142:14 212:9 matter (7) 4:4 143:20,21,25 160:13 200:20 201:21 matters (2)	33:4 144:2 Matthew (2) 3:24 4:13 MBA (2) 65:14,20 mean (103) 7:16,18 8:22 17:18 20:21 25:16 27:21 38:19 39:2 51:8 53:16 62:16 64:4 66:2 72:6 74:3,7 75:25 76:18 79:20 83:11 91:15,16 92:3 94:10,12 96:14,22 98:2,19,19 99:7,25 100:2,14,24 101:6,7 104:14 106:14 111:3 116:6,10 117:22 118:4,10 121:16 122:11 123:18 124:15 134:14 141:15 148:25 156:7 160:19,22 164:16 164:19 172:14 174:4 175:2,8 177:25 180:5 188:21 195:13,22 197:5,25 198:9 205:9 206:22 207:3 207:7 216:8,12 223:14,15 224:5 230:21 231:17,18 231:21 232:16,17 233:11 234:10 237:3,4 242:7 248:8 253:25 257:11,12 257:25 260:24 262:7 264:13 265:6 266:17 282:15 288:8 290:20 means (4) 17:16,19 267:10 272:20 meat (1) 290:8 meats (1) 120:13 media (1) 4:2 medication (1) 17:11 Medleys (4) 238:24 239:9,24 301:15 meet (5)	7:2,5 23:19 47:25 184:16 meeting (1) 266:3 meetings (1) 62:14 Melanie (16) 48:22,23,24 49:16 109:15 171:3 173:17,19 265:11 265:13,14 266:8,11 266:23 268:6 270:13 member (1) 75:3 memorizing (1) 268:22 memory (3) 17:12 115:8 117:22 mentioned (3) 52:14 55:25 138:3 mentioning (1) 270:18 merely (1) 243:9 Merrill (3) 62:2,3 63:14 met (14) 6:4,23 7:7,11 9:2 12:19 14:10 23:12 265:11 266:8,22 275:10,13,17 Michael (18) 3:6 4:19 6:16,17 7:4 12:8,9 13:7 14:2 50:10 52:16,17,18 52:25 53:10,15 168:7 275:18 Michael's (1) 13:8 middle (2) 120:10,13 mile (1) 290:24 milk (2) 281:17,25 milligrams (1) 127:19 million (2) 236:8,14 Mills (1) 82:15 mind (3) 168:5 169:8 195:25 Minerals (3) 152:15,25 300:24
--	---	---	--	--

minimal (8) 204:15,19 206:9 252:19 256:12 257:8,11 258:2 minimize (2) 69:14 108:10 minimum (1) 136:3 minute (5) 166:12 281:10 282:2 283:9 302:11 minutes (11) 6:21 7:10 10:8,24 11:25 12:4,4 158:5 283:13,14,16 mischaracterizatio... 44:16 54:15 103:3 221:25 231:10 mischaracterizes (13) 54:20 110:11 145:12 155:13 157:20 162:16 166:10 167:14 168:3 178:23 181:20 265:20 285:9 mischaracterizing (2) 40:25 168:14 misleading (10) 89:13 91:24 92:13 109:10 151:9 165:6 230:14 231:3,8 239:16 misrepresentations ... 248:23 missed (1) 286:22 missing (1) 268:17 misunderstands (1) 168:18 mix (2) 92:7,8 mixed (23) 88:17 104:2,9,12,23 105:7,12,16 106:3 107:13,19 149:17 156:23 179:23 180:6 181:6,10 191:16 239:15 241:24 259:17 300:16 302:9 mixture (4) 200:10,11,15 234:22 moderation (6) 132:5,9 133:9 134:22 134:23 137:9	modified (3) 86:11 150:22 239:13 moment (4) 11:14 21:20 102:14 158:24 Monday (9) 6:14 10:6 13:4,6,25 14:6 15:2 23:17 276:7 Monday's (2) 10:9,10 money (5) 64:8 120:24 264:3 272:2 273:19 Monmouth (4) 61:13,15 75:14,16 month (2) 17:2 290:5 months (2) 10:21 54:6 morning (53) 5:16 6:25 7:3,11 8:6 14:25 18:18 20:5,19 21:2 22:8,10 23:20 24:10,12 25:21,22 25:25 26:6,14,20,21 26:24 27:2 28:10,13 28:15 30:7,10,13 40:21 41:19,21 42:2 42:5 45:4 165:19 204:4,7 205:14,25 206:2,5 236:17 258:20 262:23 263:2,7,9,15 275:11 275:14 276:16 mother (1) 94:15 Motion (30) 1:8 3:20,23 4:7,24 5:4 28:24 29:4,17,22 31:4,7 36:14 45:8 51:25 67:23 68:7 94:13 95:5,17 125:13 165:12 207:11 268:12 269:18 273:9 274:23 279:19 299:12,18 Motion's (3) 31:8 179:3 270:8 Mott's (30) 70:4,17,19,24 71:2,2 71:5,8,18 79:9 85:7 85:11,21,24 86:7,9 86:14 87:2 119:24 162:4,14,17,19	163:5,14 170:7,11 237:5 238:21 300:9 Mott'ses (1) 80:10 move (3) 21:17 60:4 64:7 moved (1) 22:3 multiple (4) 140:9 189:22,22 198:13 mutual (9) 48:18,21 49:16,20 52:18,20 53:12 58:5 58:7 <hr/> N <hr/> N (4) 3:1,17 5:10 299:2 N-o-b-e-l (1) 49:2 name (24) 4:13 5:17,20 12:22 13:3,18 45:6 48:25 57:4,8 58:14 64:24 68:18 83:21 93:14 94:9,11,14 129:15 165:11 207:9 220:11 221:6 298:2 named (4) 13:5 93:9 233:20 234:17 natural (10) 92:6,8 195:2,7,11,13 210:25 227:22 238:8 241:25 Naturally (1) 70:23 near (1) 117:6 nearing (2) 170:16,18 necessarily (3) 134:13 253:6 265:4 need (10) 57:14 84:6 120:22,23 130:11 170:19 240:20 244:8 281:24 283:14 neither (4) 25:19 81:17 141:10 278:12 never (55) 15:10 19:5,12,20 41:6 41:23 43:9 44:13,20 56:22 57:2 58:25	59:2 68:3,11 70:14 73:23 77:19 134:3 134:15 153:2 165:15 173:24,25 174:18 180:12 197:4,13 204:3 205:4 228:6,12 232:12,17 235:3 236:17 239:6 255:22 258:18 265:12 266:7,10,10 266:25 267:2,14 269:16,22,23 270:5 274:22 275:4 281:11 289:10,10 new (18) 1:1,14 2:7,11,11 3:5 4:9,11 5:12 61:7 75:14,15 115:11 172:3 192:21,23,24 277:7 news (1) 173:4 newspaper (2) 112:2 223:7 Nick (3) 12:21 13:5 275:23 night (10) 118:20 183:5,6,23,23 184:6 242:11,13 243:22 251:8 nine (5) 67:10 73:4 99:15 100:5 146:4 NJ (1) 115:7 Nobel (21) 48:22,24 49:17,18,19 49:20 50:9,23 52:24 53:22 54:4,12 55:5 55:14 58:12 109:15 110:18 171:3,12,19 173:2 nodding (1) 16:6 nods (1) 16:8 non-processed (1) 148:7 nonfood (1) 228:2 nonstandardized (1) 153:15 Nope (7) 67:6 95:18 141:7 153:4 208:15	270:20 288:25 nos (1) 16:4 Notary (3) 2:11 5:13 298:25 noted (1) 296:25 notice (18) 17:25 18:4,7 19:3,6 19:12,20 95:14 112:18 127:23 157:7,10,18 158:21 203:7,16,22 299:8 noticed (4) 19:19 117:20,21 269:16 November (7) 10:21 11:6,24,25 12:12 15:2,6 number (12) 38:2 57:13 80:24 129:25 162:24 194:8 200:16 211:23 212:14 268:16,20 269:2 numbers (9) 140:11,19,23,24 141:24 142:11,18 144:4 261:25 nutrition (14) 83:24,24 108:5,18 110:6 128:6 152:12 152:20,22 282:10 284:18 285:6,14 300:20 nutritional (11) 85:25 86:5 88:18 214:7 248:10,14,20 285:11 300:11,14 300:16 nutritious (16) 222:15,21,24 223:2 223:12,15 224:2,3,6 230:4 249:4 250:4 270:23 280:14,17 281:6 <hr/> O <hr/> O (9) 3:17 241:23 252:14 252:16 259:17 280:8 297:2,2 302:9 oath (1) 17:15 oatmeal (2) 115:20 116:16
--	--	---	--	--

object (22) 9:6 10:14 22:19 46:10 47:10 52:3 53:5 70:6 85:3 103:2 133:6 141:25 142:24 145:11 152:6 188:6 193:11 199:11 240:11 243:5 247:7 270:25 objecting (1) 168:13 objection (139) 9:17 10:15 14:18 19:8 19:25 21:11 39:24 40:22,24 44:9,15 51:10 53:18 54:14 54:19,23 56:8,11,25 57:16,20 59:8,22 60:4 70:25 74:14,18 74:24 76:5 78:4 79:15 83:19 85:9 86:18 93:21 94:19 96:9 98:10 107:24 109:22 110:9 113:21 117:11 118:5 127:24 132:24 133:21 137:24 142:25 144:12 145:12 147:3,11 151:18 154:9,22 155:12 156:15 157:19 162:15 163:9 164:23 166:9 167:11,13 168:2 169:21 171:23 172:8 173:9 176:4 177:11 178:15,22 180:25 181:19 183:2,7,11 184:3 186:24 189:19 190:6 191:3,8 192:12 200:21 201:3 205:6 208:2 208:25 210:10 211:19 214:4,14,17 217:3,5 219:14 221:7,15,24,25 226:8 228:10 231:9 233:6 236:7 239:2 239:18 242:15 250:14,25 253:3,19 256:16 260:7 262:4 265:19 267:20 270:2 272:11 275:2 275:5 280:19 281:7	282:14 284:20 285:8,21 286:13,14 288:2,20 293:25 294:22,25 295:6,24 objections (7) 33:2 42:17 43:15,19 179:11,17 300:7 objects (1) 15:16 obtained (2) 254:19 255:11 obvious (1) 21:6 obviously (3) 21:3 72:9 198:13 occasion (1) 266:9 occasionally (2) 105:4 180:6 occasions (2) 55:23 237:25 Ocean (3) 1:14 2:7 4:11 odd (1) 171:16 offhand (1) 80:23 office (2) 62:15 293:19 offices (1) 2:6 oh (10) 44:17 51:6 115:10 127:15 174:3 189:4 191:23 199:15 212:14 220:16 okay (165) 5:9 6:2 9:10 10:13,18 15:9 16:16 17:4,24 19:5 21:16 28:7,19 29:25 30:25 32:15 32:23 33:25 34:18 34:23 36:3 42:24 46:2 49:5,11 51:23 60:6 63:5 70:17 76:11 79:22 80:5 85:20 87:2 88:13 89:8 90:14,17 91:4 91:23 92:12,15 93:5 94:5 97:8 98:13,25 99:4,14 102:9,11,20 113:23 114:9 116:8 117:16 118:22,24 119:5,18 124:17 128:5 133:15 135:25 136:22,24	138:11 139:7 140:10 141:8,22 143:25 146:3,12 147:7 149:11 150:19 152:9 153:5 153:7 155:15 161:4 162:23 163:5 166:13 167:2 169:2 170:21 175:9 176:2 176:10 177:15 179:14,20 181:5 182:5 183:16 184:23 185:18 186:11 189:6,18 191:23 192:6,24 193:7,23 194:8 198:2 200:13,23 201:8,15,20 202:3 203:23 204:10,12 206:4 207:20 209:15,18 210:15 211:4 212:19 213:21 218:19 219:25 222:6 224:11,15,16 227:13 229:24 232:5 233:17 235:12 236:11,15 237:16,17 239:7 240:4 241:8 242:17 247:24 253:17 254:8 259:12 261:7 271:5 278:22 283:18 291:17 292:12,17 293:3,7 294:3,14,20 295:5 296:5,8,12 old (5) 73:6,7,9,21,22 oldest (1) 67:9 once (9) 55:19,21 95:8,13 134:25 149:3 259:9 275:4 290:5 one-page (1) 20:15 ones (5) 104:4 133:18 170:3 186:6 250:20 open (4) 100:25 118:25 119:3 212:22 operations (1) 65:25 opine (2)	154:13 155:2 opined (1) 93:18 opinion (6) 94:8 97:23 100:25 109:9 159:18 256:2 opinions (1) 98:13 opportunity (1) 229:3 option (14) 99:23,25 102:24 103:5 164:18 165:22,24 178:13 182:24 183:22 264:18 265:8 269:12,15 options (10) 79:3 82:13,14 103:13 103:14 160:20 175:20 209:14 260:13 264:21 orange (9) 140:15 143:14,23 185:20 223:18 227:21 230:12 238:9 281:18 Orchard (5) 225:21,25 226:18 227:9 301:12 order (3) 139:4 198:23 234:24 organic (16) 82:2,11 83:18,22 86:4 240:5,22,25 241:2,2 241:3,12,12,23 300:13 301:17 Organic's (1) 252:14 Organically (2) 241:20 301:19 Organics (7) 82:7,18 241:23 252:16 259:17 280:8 302:9 Orgnically (1) 241:8 original (14) 25:24 26:15 38:7,7 40:11,19 41:12,25 45:2 54:2 205:24 206:5 219:16 251:11 originally (1) 38:13 outset (1)	168:15 outside (3) 120:16 139:8,8 outweighing (1) 132:12 overall (2) 233:18 234:7 owned (1) 92:8 <hr/> <p style="text-align: center;">P</p> <hr/> P (8) 1:24 2:8 3:1,1,17 297:2,3,25 p.m (16) 11:18,20 170:22,23 170:25 224:19,20 224:22 259:14,15 259:21 283:20,21 283:23 296:23,25 pack (37) 81:7 83:5,7 88:15 100:2 103:21 105:2 105:3,4,7 120:25 121:4,18,23 122:4 122:10,10,16,17,18 135:3 156:23 181:13,13,13,21,22 212:23 217:21 233:4 242:10,11,12 242:14 287:2,5 302:14 package (13) 185:7,13,16 186:18 186:23,25 187:2,19 187:25 188:5 193:15 214:21 231:24 packaged (1) 135:11 packages (1) 246:25 packaging (6) 114:4 185:4 189:23 189:25 225:6 258:9 packed (4) 123:7,8 126:24 127:4 packs (7) 103:22 121:2,5,12,19 121:21,22 page (38) 24:18,19 27:23,23,23 31:22 36:22 38:12 38:14,20,21 153:9 154:16,17 263:11 263:11,12 299:3,6
--	---	--	---	--

300:3 301:3 302:3 303:7,7,7,13,13 303:13,13,18,18,18 303:18,23,23,23,23 pages (1) 25:22 paid (3) 181:12,25 182:13 palm (1) 210:25 panel (12) 83:24 108:6,18 110:7 128:6 150:20 172:22 239:12 265:17 284:2 285:7 285:15 panels (1) 148:4 panoply (1) 250:11 Pants (2) 245:10 302:7 paper (1) 277:11 paragraph (17) 75:11 154:19,21 204:12 222:6,13 229:24 232:5 233:17 235:21 247:24 248:2 254:8 256:9 259:23 263:10 278:22 Pardon (1) 244:15 parent (1) 94:15 parentheses (2) 190:19,21 Park (2) 3:5,10 part (8) 60:15 119:8 192:5,7 229:25 231:22 247:20 260:4 particular (1) 58:2 parties (7) 136:7,10,15,18,20 297:21,23 party (2) 50:19 66:22 passed (1) 120:21 pay (1) 120:24 paying (1)	232:24 peach (13) 140:15 141:20 143:14 143:22 150:11 199:8 200:23,24 201:15,16 223:17 223:21 230:11 pear (5) 84:4 86:12 140:13 150:11 238:16 pectin (1) 241:4 Pegg (4) 93:10,12,16 255:22 penalty (3) 17:15 33:6 49:13 pending (4) 48:13,15 49:4 259:9 Pennsylvania (1) 2:12 people (4) 23:11 272:21,25 289:8 percent (65) 45:15,20,21,23 70:22 96:16,17,17 106:4 107:23 140:20,21 140:23,25,25 141:24 142:12,21 142:23 144:7,15,16 160:4,4,8,8,12,12 160:18,21,21 161:9 161:22,23 178:12 178:13 179:23 195:16,17,24 196:7 196:8,12,14,21,22 198:18,19,20,22,23 199:7 200:4 201:5 202:16,16,16 240:6 241:9 261:14,15,19 261:21,24 262:2 percentage (14) 159:22 160:11 176:13 197:2 200:22 201:14 202:8,11 204:21 235:6,13,16 257:16 262:3 percentages (2) 143:19 200:19 perfect (1) 69:15 perimeter (2) 120:9,11 period (5) 62:25 75:18 181:18 189:21 297:17	perjury (3) 17:15 33:6 49:13 permitted (1) 59:20 person (11) 6:7,10 12:11,14,19 57:19 73:20 126:14 273:4 275:13 297:10 personally (1) 212:10 Pg (1) 298:5 phone (7) 5:7 6:7,10,12 13:6 15:2 269:23 phonetic (2) 59:19 125:6 photograph (1) 226:16 photographs (1) 279:3 physical (34) 85:25 88:18 226:20 226:24 227:3,6,10 239:25 240:23 241:20 244:22 245:2,6,11 259:17 283:10 287:3 300:11,17 301:7,8 301:10,11,13,15,18 301:20,22,24 302:5 302:8,10,12,15 physically (1) 153:23 pick (1) 244:15 picked (3) 243:10 244:16 269:23 picture (2) 186:21 239:9 pictured (1) 185:16 pictures (10) 27:22 41:7 205:15 240:7 263:10,11,11 263:12,14,18 piece (11) 124:2,10 161:3,5 223:23 230:12,20 230:22 231:7,17 277:11 pieces (9) 153:18,24 211:21,25 212:2 214:24 217:12 225:14	251:23 pineapple (2) 150:11 281:20 place (3) 14:16 51:9 297:10 placement (1) 80:8 places (2) 175:11 238:11 Plaintiff (36) 1:5 4:20 18:4,8 28:25 29:5,9,13,19,23 32:24 42:16 43:14 43:18 46:14 60:17 75:13,18 92:23 179:17 214:6 230:6 231:15 248:3 261:5 262:8,11 278:20,24 279:4,11 299:8,13 299:16,20 300:7 Plaintiff's (17) 6:24 9:3 12:17,20,25 14:11 30:23,25 31:12 34:4 36:5,8 243:10 260:4 299:20,23 300:4 Plaintiffs (4) 3:3 222:17 248:22 254:12 plant (1) 153:22 plays (1) 260:3 please (17) 4:17 5:19 15:20 45:11 61:11 153:16 168:7 187:16 199:16,19 217:9,9,10,12 220:6 220:8 244:6 plenty (1) 212:7 plus (1) 184:8 point (16) 85:15 90:18 97:8,10 107:3 128:5 138:20 148:4,4 150:20 169:9 201:4 237:18 237:23 263:19 264:11 Pop (6) 117:5,7,8,14,20,23 posed (1) 295:19 possession (1) 279:12	possible (2) 57:25 244:4 possibly (4) 42:5 68:22,22 81:22 post-high (2) 61:12,13 pouch (3) 211:21 212:2 218:6 pouches (1) 129:25 power (1) 22:4 pre-litigation (2) 59:14,16 predominance (1) 139:5 predominant (6) 137:23 144:11,17 200:25 201:17 202:5 predominantly (2) 104:23 180:22 premium (3) 267:10,13 286:12 prep (1) 13:23 prepare (5) 6:5,11 10:8 18:16 40:9 prepared (2) 10:7 21:9 preschool (1) 126:18 present (5) 219:18 233:21 234:18 235:18 254:14 presenting (1) 282:16 presently (1) 5:7 preservative (1) 94:6 preservatives (23) 45:13,18 70:2 80:7 91:22 92:5,17,20 93:3 96:16 109:21 114:17 150:16 162:13 164:3,21 165:23 177:21,25 178:5 234:2 238:13 260:17 preserve (2) 178:3,7 pretty (5) 26:23 39:5 60:9,14 63:12
--	---	--	--	---

pretzel (1) 101:22	42:10 44:5 70:17 119:20 184:12	250:4 252:6,16 256:12 257:20	268:11 269:18 270:8 273:9 274:23	248:24 258:6,16 260:5,12 279:8,10
pretzels (3) 123:18,24 124:12	produced (5) 44:3 70:7,11,15	258:7 261:13,24 263:23 264:10,12	279:19 299:11,18	283:7 284:9 285:18 286:3
prevalent (1) 139:15	296:10	265:14 266:3,7,11 267:18 268:4	promotions (3) 121:8,11 122:19	purchased (117) 7:20,21 48:5,16 50:12
previous (4) 40:25 70:14 266:24 291:22	product (202) 46:9,16 48:3,5,8	269:25 270:22 272:10 273:5,9,13	proof (11) 80:19,21 113:25	50:25 67:14,17
previously (6) 70:7,11 158:4 166:21 255:2 292:15	57:15 68:6,14 70:3 71:19,24 72:11 78:3	273:16 274:3 279:3 279:8 282:18	182:6 183:24 184:16 258:5,6,15	68:20,21,25 69:4
price (16) 71:11,15 72:2,7 82:17	79:17 80:20 81:20 83:12 84:3 85:11	284:13 285:24,25 286:17,21 288:7	268:3 279:10	73:20 74:4,10 75:18
122:3,5 129:12	86:10 88:20,22 89:6 89:10 90:3 94:16,18	289:8,13	proprietary (1) 200:17	78:3 79:18 80:11,20
232:7,12,16,19	95:11,15 99:12,15	product's (2) 185:4 254:15	provide (14) 8:8,11 10:16 38:10	80:21,25 81:3,12,15
233:14 267:10,12	105:23 108:8,19	Production (8) 29:18,23 42:18 43:16	57:4 113:24 142:3,8	81:19 83:4,9 86:15
286:12	109:16,19 110:8,24	43:20 299:19 300:9 303:12	172:4 181:11	87:3,9 95:10 97:11
priced (1) 242:18	111:14 112:7,8,11	products (60) 68:21 69:2,11,11	215:10 254:18	99:20 101:14
prices (2) 71:17 182:15	113:12,16,19	70:10 75:16 78:13	255:10 295:25	102:21,23 103:12
primarily (7) 80:3 104:12,18	114:11,14 116:14	83:16 87:16 115:18	provided (21) 7:13 8:18 20:23 21:3	104:4,6,9,9 105:7
116:10 120:9,10,16	127:22 128:7,10,24	115:25 116:25	21:4,7,8 24:24	105:16 106:5,25
print (2) 111:17 234:11	129:4,13 130:4,10	118:2 119:10	37:18 38:22,23	107:2 112:11
prior (29) 10:6,19,21 14:5,22	130:17 131:6 138:8	136:14 145:24	39:12,18 255:25	113:13,19 114:6,11
21:14 23:20 24:11	138:12,13 139:22	146:6 170:11	271:7 273:17 274:7	115:13 116:2,14
26:14,25 50:10	140:13 142:10	172:17,19 182:19	292:18,22 296:15	119:13 125:24
64:13 67:21 68:24	143:13,17 145:4,9	184:21 185:2	297:17	127:22 128:4,9,12
74:7 176:7 185:2	147:2 148:10,17	186:17 193:20	providing (1) 183:12	129:4,8,13 131:6
193:24 194:25	149:4,22 150:3,8,14	206:14 213:23	proximity (1) 116:23	138:13 145:4 146:5
202:12 203:8	151:2 156:10	214:12 222:16	Public (3) 2:11 5:13 298:25	147:9,18,20,22
214:18 215:25	157:14 158:15	224:7,24 230:5	pulled (1) 220:2	162:8,20,25 163:14
248:23 284:19	159:10,23 161:7	235:23 236:24	pulp (1) 153:20	163:15,23 164:8
285:18 288:19	162:9,20 163:2,6	243:10 246:14,22	pun (1) 244:15	166:4,18,22 167:3
292:15 294:15	166:4,22 167:3	247:6 249:4,6 250:6	punitive (1) 272:19	169:14,19 171:8,14
privilege (4) 9:18 10:15 14:19 59:9	170:6 171:6,20,21	250:7,8,13,16,21,24	purchase (62) 8:19,22 58:21 69:10	179:17 180:5
privileged (2) 9:9 59:11	172:6,22,23 173:8	251:7,19,20,25	73:7 74:7 76:22,23	182:20 183:22
probably (11) 48:9 66:6 67:10 83:6	173:12,13,20 174:6	252:7,15 254:6	77:3,4,10 80:16	187:4,13,15,20
114:15 123:5	174:10 175:10,14	256:10 257:9	82:5 84:18 86:14	191:17 192:15,25
145:20 229:17	175:18 178:7,8,10	280:24 287:16	89:22 97:17,19,21	193:21 230:9
246:3 264:7 283:4	182:7,11 184:19	288:7 290:9	98:3,6 99:11 104:3	232:22 237:24
problem (1) 44:19	186:14,18 187:4,13	Professional (1) 2:10	106:15 107:9 110:8	242:11,13 243:23
processed (10) 69:14 132:5 133:10	187:16 188:3,4,18	professor (1) 93:17	110:16 114:13,21	251:2 262:12 272:6
133:11 135:13	190:3,25 191:7,16	promise (1) 11:17	128:14,18,25	273:5 279:4 282:18
153:22 173:16	191:16,19,21	Promotion (33) 1:8 3:20,23 4:7,24 5:4	129:18 138:11	284:13 285:23
175:25 177:7,25	192:16,18,20 193:2	28:24 29:4,17,21	145:8,24 148:6,6,8	286:17 289:8 291:3 291:12
produce (5)	193:4,10,21 195:16	31:4,7,8 36:13 45:8	150:8,14 156:10	purchases (21) 95:13,20 103:11
	196:23 197:2,3	51:25 67:22 68:7	162:18 168:5 169:8	105:11 106:2
	202:24 203:5	94:13 95:4,16	170:10 175:15,19	114:24 132:10
	204:22 209:4	125:13 165:12	182:9 187:23 248:3	167:19 171:16
	212:25 223:6	179:3 207:10		179:23 181:24
	225:12 227:18			239:5 251:13 253:8
	230:15 231:4 232:3			268:8 271:21 272:3
	232:14,14 234:13			273:20 274:8,25 284:7
	234:15,25 235:3,8			purchasing (32) 7:19 14:14 52:15
	235:17 238:3 241:5			67:21 68:24 69:9
	242:18 243:23			84:20 87:11,21,25
	244:11 247:15			88:8 95:2 116:3

128:7 138:18 147:2 149:4 151:2 158:15 159:10,10 173:18 173:20 174:3,6,7 176:22 185:2 193:25 194:25 209:11 242:9 puree (103) 46:18,20 47:2,8,18 84:15 87:22 88:5,23 89:5,10,14,15 90:21 90:25 91:9,12 93:6 94:2 108:25 109:7 137:12,13,19,19,25 138:5,7,7,25 139:15 139:21,23 140:21 141:10,11,17,18,21 142:4,10 143:12,15 144:8,10,15,17,19 144:21 145:6 148:13 151:12 152:4 154:7,20 155:11,19,23 156:12,13 157:3,18 158:20 159:13,19 178:11 190:9,18,20 190:21,24,25 191:6 191:19 192:17 193:3 194:5 198:14 199:7,8,9,9 200:4,9 201:5 202:9 211:8 215:25 234:24 242:2 248:17 252:17 255:2,6,14 257:2,5,13,18 261:24 262:2 273:18 274:6 pureeing (1) 153:25 purees (7) 140:9,12 141:14 142:19 153:19 201:22 234:22 purport (1) 274:19 purporting (1) 272:25 purpose (1) 243:7 purposes (2) 114:2 144:5 pursuant (1) 2:8 put (11) 53:9 91:19 99:9 123:14,21 178:2	209:3 228:19 247:22 263:2 283:6 putting (2) 123:15,17 puzzled (1) 18:21 Q qualified (2) 155:4 209:2 quality (1) 72:11 Quantitative (3) 152:14,24 300:23 question (63) 9:21 15:18,20,23 16:11,12,13 34:25 39:10 48:13,14 49:4 56:12,14,15,16,18 56:21 138:10 141:16 144:14 152:21 153:5,8,16 154:23 157:25 167:14 168:8,17,20 175:17 176:8 180:19 186:12 188:12,15 189:11 190:2 192:21,23,24 193:18 199:25 201:9,12,14,20 209:23 219:7,16 224:13 231:13 247:2 253:24 259:9 267:22 273:25 279:23 286:10 294:2,7 303:22 questioning (1) 243:6 questions (24) 7:14,17,19,22,24 15:13,14 20:13,22 20:22 28:5 30:19 38:7 152:11 201:19 236:12 268:23 276:22,23 293:16 295:19 296:13,21 300:20 quick (2) 11:16 291:18 quickly (2) 171:2 277:2 quite (2) 210:18 268:7 quote (3) 155:13 159:19 206:25 quotes (1)	112:6 quoting (1) 166:14 R R (7) 3:1,17 5:10 297:2,2,2 297:2 radio (3) 111:21 223:6 234:11 raise (1) 59:22 raisins (3) 118:2,16 119:6 range (4) 72:10 121:3,8,10 rasberries (1) 104:16 raspberry (4) 140:15 143:15 185:20 238:9 re-ask (2) 15:21 168:19 read (32) 25:21 26:23 32:25 56:15,16 84:2 91:17 92:15 94:23,24 95:20,24 96:5 107:3 128:17,18 145:13 146:17 154:23 156:10 157:22 168:9 185:14 192:2 192:10 194:10 201:12 284:18,22 284:24 286:8 298:5 reading (6) 154:5,18 171:17 215:14 288:4,4 Reads (1) 298:5 real (114) 45:14,19 46:9,16,19 46:21,25 47:3,9,12 47:14,17,19,20 69:25 70:19 79:4,6 79:9,13 80:8 83:12 86:23 87:18 89:15 91:7,13 93:7,19 94:3,6 96:15,21 109:2,5,11,20 114:16 127:8 144:20,23 145:8 148:16 150:15 151:7,13 155:17,22 156:2,3,8 162:12 164:2,20 165:23	171:2 175:22 177:3 177:6,9 193:16 194:2,6 197:10,16 197:22,23,25 198:4 198:6 206:23 212:14 222:18 223:23 224:9 227:21 228:9,16,16 228:24,24 229:9,12 229:16,18,20,21 230:8,21,23 231:17 231:19,22,23 233:25 237:6,11 238:6,7,11 239:10 241:11 249:13 254:22,23,25 255:13 256:13 257:10 258:3 260:16 287:23,24 288:10 really (16) 9:5 11:9 12:24 39:9 89:16 122:14 134:9 134:19 190:13 197:13 228:6 229:2 266:5,6 267:14 282:15 realm (2) 250:15,17 Realtime (2) 2:9 297:4 reason (32) 17:8 46:25 70:24 89:4 99:16,20 102:21 103:11,13 111:3 125:24 129:13,18 130:2,5,7,11,15,18 137:21 138:6 139:14,18 169:14 173:13 195:15 197:9 286:17 289:12,13 295:20 298:5 reasonable (5) 222:17 230:7,19 231:16 254:13 reasoning (1) 163:22 reasons (8) 103:7 129:3,7 131:5,9 131:11 166:21 289:8 recall (150) 10:4 11:9 12:22 15:8 20:20 24:13 25:4,18 30:8,8,10 31:25	36:17,18,24 37:2,13 39:22 40:3 42:9 44:14 46:2 50:21 51:4,13,15,19,20,21 52:5,5,11 53:10,20 53:23,24 54:11,12 55:3 57:2,7,10,11 57:12,22 58:2,4 60:24 68:23 71:14 71:16 74:6 76:25 77:12,16,22 78:2,8 79:11 81:23,24 82:17,20,23 83:2,5 90:4,7,8,15,19,23 91:5,14,15 95:19 97:16,16,24 98:2,12 98:17 99:10 100:7 104:7 109:13 110:2 111:2,6,12,16,18 112:12,15,23 113:11 114:7,8,23 115:16 116:20,22 117:7,8,24 135:21 145:14,22 146:7 147:5,13,21 149:7 149:21 157:12 158:22 159:5,8,11 162:19 163:4 164:14 167:9 169:15 174:13 181:7 193:22 204:5 204:9,11 205:8 232:20,24 263:20 266:5,6 267:8 276:4 276:6,9,25 285:10 285:12,16,20 293:18,23 294:8,14 296:20 receipt (1) 181:24 receipts (2) 258:8 279:9 receive (1) 19:23 received (5) 38:8,9,10 293:5,18 receiving (1) 294:8 receptionist (1) 57:24 recess (8) 11:20 21:24 49:8 102:17 170:23 224:20 259:15 283:21 recipe (2)
---	---	---	--	--

133:24 135:22 recognition (1) 68:18 recognize (1) 113:9 recollection (20) 15:24 16:21,23 17:6 24:22 40:13 41:14 42:15 79:13 83:8 105:25 112:5 115:12,25 233:9 262:25 291:24 292:8,14,22 recollects (1) 168:18 record (46) 4:18 5:2,20 11:14,19 11:22 21:20,23 22:2 26:4 35:4 42:23 43:8,22 49:7,10 76:2 85:19 97:20 102:13,16,19 133:2 149:19 154:24 156:21 170:22,25 186:25 201:11 212:17 224:19,22 225:19 227:12 230:15 236:20 237:22 240:3 259:14,21 268:19 283:20,23 289:21 296:24 recorded (1) 4:3 records (2) 184:12 266:16 red (5) 92:3,17 104:17 181:6 211:5 reduced (3) 107:13,21 297:12 refer (3) 46:12,22 165:8 reference (1) 85:15 referencing (1) 191:10 referring (12) 41:15 187:11 191:9 207:16 209:7 213:9 233:24 235:25 248:6 250:8,23 251:19 refresh (7) 24:21 40:13 41:14 79:12 292:7,13,21	refreshes (3) 42:14 83:8 291:23 refrigeration (1) 130:11 refund (17) 268:8 269:10,24 271:21 272:7,12,16 273:3,6,10,14 274:8 274:12,20,24,24 275:4 refused (2) 142:2,7 regard (1) 10:15 regarding (4) 10:16 74:15 187:15 295:19 Registered (2) 2:10 297:4 regs (4) 199:13,16,20,22 regularly (5) 68:23 76:13 290:13 290:18,19 regulations (2) 139:3 199:2 regulatory (1) 141:6 related (5) 152:13,23 253:7 297:23 300:21 relation (2) 119:18,20 relevant (2) 44:7 276:20 relied (18) 89:7,16 92:18,21 185:2,5 187:22 193:24 194:10,24 194:24 196:3 248:24 253:9,13,21 256:19,21 rely (2) 189:24 253:16 relying (1) 47:23 remember (8) 25:5,25 54:17 83:3 91:16 118:7 266:18 276:18 reminder (1) 175:5 remiss (1) 224:23 removed (1) 280:20	repeat (12) 40:4 56:15 137:15 138:10 144:14 157:24 175:16 187:21 201:9 230:16 231:12 294:6 repeated (1) 157:20 repeatedly (2) 157:21 235:7 rephrase (3) 15:21 180:19 205:7 REPORTED (1) 1:24 reporter (14) 2:9,10,10 4:15 15:15 16:7 26:23 27:16 240:19 280:10 297:4,4,5,17 reporter's (1) 16:14 Reporting (2) 4:14,16 represent (10) 5:17 113:17 149:18 156:24 200:14 221:2 243:14 251:3 273:2 274:19 representation (5) 113:24 184:25 187:23 193:23 194:24 representations (9) 165:16 185:3,6 197:18,20 248:25 249:8 250:4 260:20 representative (1) 272:20 represented (3) 196:18 250:19 253:5 representing (3) 114:3 272:25 275:21 represents (3) 243:8 275:24 276:3 request (14) 29:18,22 30:19 42:14 42:18 258:25 269:23 276:24 277:13 278:5,22 299:19 300:8 303:12 requested (3) 44:3 297:15,16 requests (11) 42:10 43:3,8,16,20 44:12,23 258:15,19	258:20 276:12 require (1) 139:3 research (1) 66:3 resemblance (3) 256:13 257:10 258:3 RESERVATION (1) 59:21 reserve (2) 59:22 60:4 resides (1) 75:14 respect (2) 193:7,8 responds (1) 179:17 response (16) 34:22 61:23 68:10 72:20 96:11 153:16 179:8,13,19 180:9 180:12,15 184:23 277:4,13 279:11 responses (45) 20:12,18,24,25 21:9 21:14 22:7,9 30:17 30:21 32:4 33:2,17 33:19 34:2,8,10,18 35:21,23 36:16 37:19,21 38:5,6,18 40:6 41:13 42:7,17 43:2,3,15,19 48:4 74:10 81:6 179:10 205:19 258:19 259:2 276:11 277:14 294:9 300:7 responsive (8) 36:12 44:12,23 277:6 278:20,24 279:4,11 retained (36) 85:25 86:5 88:18 226:21,24 227:3,6 227:10 239:25 240:23 241:21 244:23 245:3,7,11 259:18 283:10 287:3 300:12,15,17 301:7,9,10,12,14,16 301:18,20,22,24 302:6,8,10,13,15 review (11) 7:12 32:4 34:18 63:23 96:2 262:20 293:7 293:24 294:12 296:8 297:14 reviewed (14)	8:5 18:16,18 20:6,12 23:5 32:6 35:23 40:6,9 293:4,4,5 296:5 reviews (1) 63:22 rhetorical (1) 141:16 Rhode (1) 65:10 Richmond (5) 13:21 14:3 23:17 275:22,23 Rider (2) 65:17,19 Rifle (1) 3:4 right (180) 8:16 32:11 35:9 44:23 56:10 69:19 72:17 72:18,19 74:23 78:16 79:10 81:12 81:15,17 82:22,25 84:15,23 87:4,19 88:24 91:2 92:9,11 94:18,21 95:3,8,11 95:15,21 96:18,19 99:12 100:20 101:14,25 102:6,7 106:17,18 107:10 107:11 108:15,18 108:20 109:16 110:8 112:22 114:7 117:9,19 120:2 127:8,11,12,14 128:8,15,21,25 129:8 131:21 132:16,19,22 138:2 138:20 140:18,25 143:18 144:3 145:10 147:23 148:10 149:9,25 150:5,23 151:3 153:3 155:20,21 156:14 158:7,15 161:5 163:17,23 164:8 165:19,24 166:8,24 167:6,7,25 169:14 172:24 175:11 176:17 178:8,21 179:11,25 182:20 184:2 192:3 192:10 194:2,6 197:8 199:22,24 204:4 205:22 206:3 206:11 209:8 211:7
---	---	---	---	---

211:9,11,12,14,17 211:18 212:25 213:2 218:23 221:4 224:4 225:22 228:25 229:6,23 230:20 232:22 237:19 238:21 241:5 242:6 246:18 248:18 249:18,19 250:9,24 251:20,21 251:25 253:15 256:7 258:9,12,21 265:10,18 266:9,22 267:7 269:19 271:10,12 273:20 274:9 275:8,11,14 278:2,14 284:7,10 284:14 285:7 286:4 286:19 289:15,19 295:13 ring (1) 93:14 Rite (1) 290:20 Road (1) 3:4 role (1) 63:13 Roll-ups (5) 287:2,6,9 288:5 302:14 rolls (1) 111:10 Ronald (1) 93:10 room (2) 122:6 275:18 rooms (1) 22:4 roughly (1) 105:12 round (4) 140:11,19,22 142:18 rounding (1) 144:5 RPR (1) 1:24 rule (1) 16:9 ruled (1) 59:12 rules (2) 6:3 15:10 running (1) 62:15	S s (12) 3:1,17,17 29:4,22 299:5,12,18 300:2,7 301:2 302:2 Safety (1) 152:20 sales (2) 121:7 182:15 sandwich (2) 123:23 124:22 sat (1) 235:5 satisfactory (1) 210:18 satisfied (4) 271:7 273:13,18 274:4 saturated (1) 127:19 save (1) 240:20 saw (95) 19:6,12,20 21:3,13,15 23:7 24:7 25:21,23 26:5,10,20,21,24,25 27:4,6,18,25 28:4 28:12,14,16 30:4 31:25 32:3,14 33:16 33:23 34:15 39:23 40:20 41:15,19,20 42:5 45:2 68:11 71:2 77:9,25 79:6 90:18,24 91:6,7 96:12 97:18 99:12 108:4,5,7,23 109:4 109:5 127:21 128:7 128:19 145:4,5,7 148:12 150:25 151:5,6 156:13 157:14,16 158:11 158:17,19 165:15 165:18 184:25 193:24 194:18,24 204:3,7 205:4,16 206:2,4 236:17 248:22 258:18 265:17 276:15 284:6,17 285:4,5,14 293:15 saying (51) 26:25 39:3 46:8,20 47:7 87:14 92:4 119:25 134:14 141:24 144:20,25	161:25 168:12,13 168:18,21,24 169:15 178:21 186:16 187:10 191:4 194:20 200:9 201:4 204:18,23,25 206:9 217:13 220:10,17 222:3 228:15,16,23 230:17,21 233:12 252:9,24 254:21 255:12 256:14,24 257:25 273:9 274:6 279:24 284:22 sayings (1) 222:22 says (90) 24:14 30:25 32:24 68:5 69:25 70:19 75:13 88:22,23 89:13,13 92:9 95:2 95:3 108:6,15,18 113:16 127:9,11,18 137:17,19 138:25 140:14 143:10 144:22 149:18 150:10 153:11,15 155:7,8,9,19,21 177:3,16,21 181:12 190:18 193:15,25 195:9,25 197:21 198:4,5 199:7 203:12 204:14 206:23 207:9,16 208:12 214:21,25 219:8 222:14 223:2 224:8,9 227:20 228:2 229:8,12 230:5,23 237:6 238:7,8,10,10,14,15 239:15 240:8 241:9 247:12 248:22 249:13 254:11 256:9 260:2 262:11 268:21,21 278:24 282:8,10 scan (44) 85:23 86:3 88:16 113:3 149:13 156:18 202:25 226:19,23 227:2,5,9 239:23 240:21 241:19 244:21,25 245:5,9 259:16 283:8 286:25 300:9 300:12,15,18,19	301:4,5,6,8,9,11,12 301:14,17,19,21,23 302:4,6,9,11,13 Scanlon's (1) 59:12 scanned (1) 79:8 Scheduling (1) 62:14 school (4) 61:12,13 76:18 123:6 Scooby-Doo (7) 79:4,6 243:4 245:6,15 246:6 302:4 season (1) 17:2 second (7) 2:7 171:19 172:5 180:23 193:23 214:5 265:13 seconds (1) 171:14 section (2) 117:25 287:13 securities (3) 64:7,13,17 see (65) 10:12 18:11 19:4 20:21 22:12,23 24:9 24:14 27:17,19 28:9 30:6,12 31:18,22 32:18 33:19 34:12 35:5,8 38:6 42:14 45:12 48:16 62:24 63:22 66:6 67:9 71:5 79:12 80:25 84:2 86:23 95:2 106:24 107:4 111:13,19 127:6,17 148:19 151:8 153:16 154:3 158:5 180:11 188:25 194:14 205:5,10,14 205:24,25 206:14 207:12 212:11 258:25 263:17 268:16,20 276:14 282:19 291:23 292:10 296:18 seeing (12) 25:18 42:9 107:10 108:17 117:7 148:16 149:21 232:20 262:25 269:13,14 284:10 seek (1)	268:7 seeking (1) 274:23 seen (55) 18:9 20:9,14,17,22,25 21:10 22:7,9,17,20 22:25 23:9 24:5,11 25:15,20 26:15 30:2 30:13 31:15 34:9 36:15,19,25 39:6,7 40:14 41:6,11,23 42:2 43:5,9,24 70:5 134:3,15 153:2 157:5 203:4 232:16 239:6 240:10 242:4 242:7 262:22 263:9 263:13 281:11 287:9,12 289:10 291:21 292:14 self-education (1) 98:24 sell (1) 72:14 sending (1) 295:2 sentence (4) 229:25 230:2 231:14 233:17 separated (2) 199:8,9 separately (3) 198:16,18 234:23 Series (1) 64:9 Seriously (1) 156:6 serve (1) 136:9 served (5) 31:6 32:5 36:13 180:10,13 service (1) 64:6 Services (1) 152:19 serving (27) 106:22 127:16 128:8 129:23 130:14 211:15,23 214:19 214:22,25 215:2,5,8 215:11,18,20 217:7 217:11,15,19,20 218:2,20 225:14,20 240:7 241:10 set (25) 28:24 29:5,9,13,18,23
--	--	--	---	--

30:24 31:2,8,13 33:3 34:5 36:6,9 42:18 43:16,20 277:20 299:13,15 299:19,21,23 300:5 300:8 sets (1) 31:6 seven (30) 48:6,7 75:17 87:10 90:11 94:25 95:7,24 97:11 98:6,7 112:11 145:3,15 147:8,19 171:17 172:7 182:12 184:18 187:8 191:14 192:15,25 232:2,11 237:24 243:23 272:3 290:23 share (1) 208:18 SHEET (1) 298:1 shelf (16) 77:9 79:17 80:18 112:7 117:17 129:17 161:18 162:17,20 163:6 164:15 184:8 216:14 243:15 246:24 264:15 shelves (7) 72:16 77:25 78:9 162:24 163:2 184:8 244:12 Shimmer (5) 243:3 245:2,14 246:2 301:23 Shine (5) 243:4 245:2,14 246:2 301:23 shockingly (1) 236:17 shop (15) 59:4 71:15 88:12 115:4 117:14,23 118:10 120:9,10,17 289:22 290:2,12,17 290:20 shopped (5) 71:3,6 184:6 246:9 290:20 shopper (1) 197:17 shopping (9) 72:12,23,24 77:19,20	216:8,9 246:23 289:24 short (4) 10:24 11:7 62:25 256:9 shorthand (3) 2:9 297:3,9 shot (1) 208:9 show (24) 17:24 23:22 25:8 28:8 28:19,20 30:17,20 33:25 35:11 36:3 42:13 70:3 72:4 88:13 112:25 149:11 155:15 184:13 191:11 202:22 225:12 286:21 291:22 showed (8) 30:18 40:11 127:10 203:8 205:22 258:20 263:8 276:16 showing (9) 40:10 70:13,18,18 113:7 117:17 186:25 209:9 244:13 shown (3) 193:20 221:9 244:9 shows (1) 186:22 side (3) 83:24 120:2 223:2 sign (6) 18:23 32:9 33:10,14 38:21 180:15 signature (10) 24:19 33:9,12 35:18 37:4,9 38:12,14,20 298:21 signed (19) 18:25 19:2 20:11,16 30:16 32:6,7,10,12 32:21 33:24 35:14 35:20,25 37:6 38:9 299:22,24 300:6 significant (25) 160:24 161:8,9 176:14 195:2,6,21 195:22,24 196:4,7,9 196:15,18,22 197:2 197:5,14 249:2,9,11 249:15,21,24 262:3 signing (1)	37:13 Silverman (168) 3:12 4:22,22 5:15,17 9:20 11:15 19:10,15 19:18 21:17,21 29:7 29:15 30:22 31:10 32:16 41:2 44:17 49:5 56:13 59:11,15 59:24 60:6 70:9,16 78:6 85:17,20 86:2 86:6 88:19 102:11 113:2,23 119:2 134:3,8,11 136:4 138:2,5 142:5,9 152:9 154:15 155:5 166:13 167:16 168:6,11,15 170:17 179:12 183:14,17 184:15 185:11,17 185:19,24 186:4,7 187:5 191:11 193:14 199:15 201:7 208:9,15,18 209:5,9 210:14,16 211:22 212:3,6,8,11 212:18,22 214:21 214:25 217:9,15,19 217:24 219:19,23 220:2,6 224:15 226:11,14,21,25 227:4,7,10 236:11 236:15 239:21,25 240:14,18,23 241:17,21 242:17 242:25 243:13,18 243:21 244:2,5,8,23 245:3,7,11 247:17 247:22 250:17 251:6 259:18 280:6 282:4,7,17 283:10 283:12 287:4 291:15,25 292:5,10 293:25 294:4,22,25 295:6,10,13,24 296:3,14,21 299:4 300:12,15,17 301:7 301:9,10,12,14,16 301:18,20,22,24 302:6,8,10,13,16 Silvia (5) 1:24 2:8 4:15 297:3 297:25 similar (14) 18:25 39:5 216:14 235:23,25 236:24 236:25 243:9 249:5	250:6,7,15,23 251:19 similarly (2) 1:4 4:5 Simple (2) 240:22 301:17 Simply (1) 240:5 single (19) 148:6 153:20 170:5,5 181:23 184:7,9 189:24,25 191:9 243:15,19 244:3,6 244:16 252:17 273:4 277:11 279:25 singular (1) 191:9 sit (4) 117:22 208:5 269:11 295:17 sitter (1) 126:20 sitter's (1) 127:2 sitting (11) 23:15 44:2 46:24 50:5 105:25 112:4 158:23 177:8 178:19 261:23 275:18 situated (2) 1:4 4:5 six (10) 36:24,25 90:11 105:14,18,18,21 212:11 242:11,12 size (14) 83:3,5 129:23 211:23 214:19,22,25 215:11 217:7,16,20 217:21 218:2 225:14 skill (1) 212:10 Skittles (13) 213:15,17,21 214:2 216:22 217:20,22 219:12 221:12 226:6,17 227:3 301:9 smacks (1) 45:13 small (1) 66:4 smaller (1)	153:23 smallest (1) 148:2 Smith (2) 3:24 4:13 snack (68) 69:2,11 71:19,24 74:8 76:8 81:20,20 87:15 87:15 97:19 99:23 99:23,25 100:2,3 101:2,12 102:24 103:5,13,14 114:14 123:17,22 124:4,7 124:10 129:5 131:7 161:11 166:7,22 167:4,4 169:3,18 170:11 176:11 178:17 182:19 184:2,7,20 185:16 197:14 209:13,14 215:8 232:13,14,22 239:8 241:5 243:17 243:25 247:14 250:21 251:24 252:7 254:5 261:6 262:8 263:23 271:4 286:18 289:14 291:13 snacks (328) 7:20 48:17 50:23 51:7 51:17,17,24 53:3 55:5 58:11,22 60:21 67:8,14,22 68:21,25 69:5,6,9,10,17,21 69:24 70:17,22 71:18 72:7,14,15 72:17 73:15,19 74:2 75:19 77:7 78:2 79:23,25 81:21 82:16,18 83:17 85:24 86:4 87:8 88:8,15,17 90:3 91:19 94:7,17,18 100:13,13,15 101:2 101:13,25 102:22 103:21,23 105:8 106:3,8 107:13 110:17,21 111:8,14 112:6 113:7 114:13 115:13,17 116:23 116:24,25 117:9,18 117:18 118:15,18 119:8,13,19 120:7 120:14,25 122:7,8 123:13,16,24 124:8 124:20 125:10,13
--	--	--	--	---

125:19,21,24,25 126:11,22 127:7 128:20 130:12 131:14,14,16,19 132:2,8,21 133:5,20 134:6,16 136:13,14 137:14,17 138:12 139:16 146:5,21 147:9,20 148:9 149:2,17 156:23 161:12,15,16,17,18 161:21 162:2,4,5,10 162:25 163:17,22 164:5,7,9,12 166:16 166:19 167:10,23 167:24 169:3,9,13 169:18,24,25 171:9 171:13,18 175:21 175:21 178:14 179:18 182:18 185:6,12 187:24 193:25 194:9,15 195:2 202:9 204:15 204:19 206:14,20 206:25 208:22 209:25 210:5,6 211:14,21 212:14 213:4,25 214:13,19 214:20 215:6,20,25 216:6,9,12,18 218:6 218:13,16,23 219:5 219:11 220:14,15 220:18,22 221:10 222:15,21 225:22 225:25 226:2,5,18 227:9 229:8 230:3 230:10,18 231:24 232:6,12,13,21 233:13,19 235:23 235:25 236:3,5,6,23 236:24,25 238:2 240:5,22 241:9,15 241:20,24,24 242:9 242:13,21 243:9 244:18,22 245:2,6 245:10,17,22 246:17,22 248:4,9 248:10,14,25 249:8 249:24 250:8,13 251:2,3,20 252:25 253:5,7,11,12 254:4 254:15,17 259:17 260:5,22,23,24,25 261:2 262:13 263:22 264:3,9,16 264:25 265:6,8,24	266:13,15 267:17 267:18 268:4,9 270:24 272:6,22 280:8,17 281:5 282:13 286:12 287:8,13 290:23 291:2,4,7,10 300:10 300:13,16 301:13 301:18,19,22,24 302:5,7,9 so-to-speak (1) 27:15 sodas (1) 120:14 sodium (1) 127:20 sold (8) 115:18,18,25 120:18 242:5 244:12 286:12 287:7 solely (2) 243:7 250:19 solids (1) 84:6 somebody (6) 13:5 57:13 93:9 272:9 272:14 273:12 son (10) 72:24 73:13 76:20 77:11,17,23 100:5 123:3 126:12,15 sons (1) 147:2 sorry (24) 13:4,19,20 15:5 18:24 30:8 32:14 34:24 40:4 53:2 116:19 125:12 138:9 157:24 175:16 180:8 185:9 187:21 193:11 206:3 231:12 257:24 260:3 294:6 sorts (1) 208:8 soup (1) 290:8 source (2) 241:10 247:12 sources (2) 70:20 86:25 space (1) 283:17 speak (18) 6:9,15,19 11:10 12:7 14:20 52:16,25 53:4	53:8 54:4 55:13,18 56:7,19,22 57:5 236:20 speaking (2) 50:10 266:4 specialist (3) 4:15 208:3,4 specific (5) 45:11 57:18 219:17 260:9 295:18 specifically (11) 31:3 36:12 76:9 83:25 127:9 152:3 190:16 209:6 255:15 260:14 271:17 spell (2) 5:19 48:25 spent (1) 87:10 spoke (25) 6:23 9:13 10:20 12:11 13:5 14:2,6 23:16 49:15 52:16 53:15 57:13 110:14 173:23 174:2,22,23 266:8,11,25 267:4,6 268:6 275:24 276:7 spoken (18) 6:6 9:2,4,10 11:24 12:14,21 23:12,13 23:14 55:7,21 58:9 58:10 93:25 270:16 275:12,17 Sponge (7) 78:15 243:4 245:10 245:14 246:6 247:12 302:6 spousal (1) 59:9 spread (3) 153:15,17 155:23 spreads (2) 153:13 156:8 Spring (4) 5:11 61:6,8,9 Square (2) 245:10 302:7 standard (4) 121:15 124:7 135:22 290:9 standards (1) 99:5 standing (1) 69:23 Starbucks (1) 217:7	Starburst (6) 213:13 215:12 226:24 229:20,21 301:8 Starbursts (28) 213:17,22 214:3 215:3,13,24 216:7 216:23,24 217:8 219:12 221:12 226:6,17 227:14,17 227:20 228:7,12,19 229:5,12,14,15,15 229:16,17,19 starch (3) 86:12 150:23 239:13 start (3) 48:8 68:2 146:9 started (9) 7:15,17 51:15 87:7,21 87:25 122:14,25 146:14 starting (2) 61:11 64:16 state (2) 5:19 184:24 stated (2) 33:4 297:10 statement (15) 91:24,25 109:11 133:17 137:22 150:4 155:3 177:19 177:23 184:12 185:8,10 232:8 234:20 235:15 statements (2) 164:25 169:23 states (5) 1:1 2:11 4:8 33:7 154:25 stating (1) 174:18 stay (2) 120:16 133:11 STENOGRAPHER... 34:24 226:13 243:2 282:6 286:24 Stipulations (1) 303:17 stood (1) 114:12 stop (6) 97:25 172:5 173:7,12 173:18 174:3 stopped (8) 116:3 159:10 171:20 173:13 174:6,14 266:2 267:2	stopping (2) 110:7 173:19 store (28) 68:19 104:13,18 105:5 111:14 112:7 114:25 116:6 117:17 118:9,21 119:12,24,25 120:10,11,18,21 121:10 130:5 170:4 183:4,9 220:13 243:22 246:10 289:24 290:22 stores (1) 243:21 Straight (1) 119:17 strawberries (2) 104:16 185:20 strawberry (12) 140:15 141:11,20 143:14 199:9 200:23,24 201:15 201:16 227:22 238:9 240:9 stray (1) 82:3 strength (1) 153:20 strike (5) 60:4 110:15 247:25 252:4 293:8 string (1) 117:19 stuck (1) 84:21 stuff (3) 106:15 121:11 175:25 subject (2) 50:22 179:16 submitted (1) 294:16 SUBSCRIBED (1) 298:22 subsequent (7) 103:10 126:9 130:8 158:19 167:18 176:16 235:9 subsequently (8) 87:22 108:25 125:18 129:10 156:12 167:8 168:4 170:9 subset (2) 250:22 274:24 substance (1) 9:25
--	--	--	--	---

substantial (1) 260:4	20:24 21:4,8 22:13 24:24,25 25:3 292:20	128:21,24 140:22 141:3,8 144:9,16 150:22 210:23 227:25 238:15 239:12 241:2,12 252:18	targeting (1) 246:17	69:15
substantive (1) 9:15			Tart (1) 117:5	term (1) 267:10
substitute (1) 124:9	supervision (2) 63:23 297:13		Tarts (5) 117:7,8,14,20,23	terms (10) 72:7 80:11 82:13 131:14 161:7 246:17 270:22 277:10 280:18 289:12
sue (4) 51:24 52:7 84:17 87:6	Supplement (2) 152:12 300:21		taste (22) 99:21 100:18,22,23 101:3,4 102:24 103:18,19 125:23 129:5,6 131:8 134:11,14 166:8,23 167:6 212:16 227:21 286:19 289:15	test (1) 133:25
sued (1) 92:23	supplemental (11) 36:6,9 38:5,6,18 39:12,14 40:6 43:2 152:22 300:4	T		testified (33) 5:14 20:17 24:22 40:17 46:15 157:21 158:4 163:19 166:10,17,21 169:12 178:20 179:22 180:9,10,21 181:21 187:2 194:4 196:3 204:21 205:13 223:20 228:12 235:2 244:11 274:3 276:15 286:16 291:20 292:17 293:14
suffice (1) 277:4	supplier (1) 200:17	T (8) 3:17 297:2,2,2 299:5 300:2 301:2 302:2	team (2) 64:3,6	testify (9) 17:15 142:6 155:4 208:7 211:20 214:6 217:18 239:3 289:3
sugar (86) 50:13 51:8,18,24 53:4 54:17,25 84:4,10 86:11 87:20 106:10 106:14,18,19,20,21 106:22 107:6,13,21 107:23 108:15,19 109:16,20 110:3,25 127:12 128:8,21,24 132:12,16,18,21 133:4,19 134:5 135:16,25 141:3,3,8 150:22 153:25 171:6,20 172:24 173:3,16 175:9,23 200:5 207:18 208:21 210:23 214:11 215:4,5,15 215:21 218:10 220:8 221:21 225:15,16 227:25 238:15 239:12 241:2,12 252:18 265:15,18 281:16 282:11,12,25 283:25 284:3,12,16 285:3,6,24	support (3) 63:14 277:25 303:3	table (6) 250:12,19,20,22 253:2,6	television (2) 111:19 223:6	testifying (4) 49:12 168:7 183:12 292:8
	supporting (2) 277:14 278:13	take (56) 16:7 17:11 24:4 34:7 35:16 36:11,21 42:24 43:23 48:12 48:14 51:9 73:8 75:6 83:7,23 85:8 85:10 86:7 95:11 105:10 106:5 108:10,14 113:6,15 162:3 178:25 179:8 203:23 204:12 207:23,24 208:11 210:19 212:10 213:21,22,22,23 215:12 217:22 224:17 225:4,12 238:24 240:19 245:13 254:8 259:7 259:10,22 276:10 282:2,21 283:12	tell (48) 15:11 17:19 24:4 25:15 30:2 31:15 34:9 36:11,15 42:21 43:5,23 44:25 45:5 50:8 55:2 59:5 60:7 60:17 61:24 67:19 83:8 85:11 91:20 100:5,16 113:9 126:21 131:5 154:16 168:19 171:9 176:2 191:15 199:19 200:18,18 207:25 208:22 213:24 215:13 220:9 231:25 238:25 276:17 282:8,21 297:6	testimony (46) 15:24,25 17:9 40:25 44:16,18 46:24 47:7 54:15,20 103:3 110:12 145:12 151:11 157:20 162:16 166:10 167:14 168:3,14 171:22 174:8 178:23 181:16,20 186:13 187:17 189:6 190:3,10,23 204:6 210:11 212:24 213:3,24 219:10 225:24 226:4 235:7 253:4 265:20 266:24 284:23 285:9 297:11
	suppose (1) 170:20		ten (19) 7:10 11:7,25 66:17,21 67:9 88:15 103:21 105:7 120:25 121:18 122:9,10 123:4 146:4,12 156:23 170:4 242:14	thank (1) 119:4
	supposed (3) 19:13 143:9 208:16		telling (8) 51:20,21 60:22 168:21,24 183:20 190:23 216:4	thereto (1) 297:23
	supposedly (1) 207:11		tells (1) 156:10	
	sure (48) 11:4 18:22 26:11,23 27:5 28:3,20 38:19 39:8,9 40:18 42:20 49:25 64:18 77:5 81:23 83:10 84:24 85:6 88:9 90:13 91:3 94:22 99:13 101:7,17 104:21 116:20,21 126:4 131:22,24 132:20 143:5 144:6 148:5 174:12 178:17 181:3 182:21,22 185:17 257:22 266:16 269:20 280:7 286:7 291:21	taken (11) 5:24 11:20 21:24 49:8 60:23 102:17 170:23 224:20 259:15 283:21 297:9	ten-year (1) 73:6	
	surprise (3) 182:23 183:20 282:24	talk (5) 52:7 177:15 199:13 199:16,18	ten-year-old (2) 76:21 146:21	
	survey (1) 289:7	talked (3) 94:5 171:2 177:16	tend (1)	
	swayed (1) 176:21	talking (15) 8:3 38:3 45:22 77:6 77:21 78:5,6 120:12 165:25 223:5 230:3 234:3 251:22,24 281:2		
	sweet (7) 100:24 101:6,8,11 260:23,24 261:2	Tapioca (7) 84:4,6,9 238:15 241:2 241:3,12		
	sworn (3) 5:13 297:6 298:22	targeted (3) 245:19,22 246:21		
	synthetic (4) 238:13 254:16,21 255:9			
	syrup (20) 84:4,6,10 86:11 87:20			

<p>they'd (2) 124:12 166:23</p> <p>thing (5) 16:3 89:16 222:12 243:15 265:14</p> <p>things (12) 8:23 72:10 78:25 101:21 114:15 118:3 120:15 151:23 165:7 175:6 283:6 288:9</p> <p>think (63) 13:3 18:17 19:22 21:18 22:6 25:16,20 25:23 26:5,22 27:6 28:12,16 30:14,15 39:5,7 41:2 59:13 60:19 65:8 78:7 81:5 84:19 87:8 96:23 100:22 104:11,17 106:21 111:18 121:2,5,15 128:16 154:17 158:4 172:11 177:15 189:7,12 213:24 221:9 224:13 244:13 252:15 267:16,22 272:5,24 273:2 274:11,15 280:9,13 281:4,23 283:24 284:21 286:6,9 291:20 292:17</p> <p>thinks (2) 168:8,11</p> <p>third (1) 153:9</p> <p>Thirteen (1) 43:14</p> <p>Thirty (3) 6:21 200:8 243:2</p> <p>Thirty-five (2) 61:2 282:6</p> <p>Thirty-six (1) 287:5</p> <p>thought (25) 18:24 27:3 82:14 87:12 96:14 99:21 103:6,14,17 118:22 135:23 167:5,9 175:3,4 186:5 197:4 197:13 205:15 228:6,18,22 229:11 267:14 276:14</p> <p>thoughts (2) 283:15,17</p>	<p>thousand (2) 176:5 260:8</p> <p>thousands (1) 124:16</p> <p>three (30) 9:14 10:3,6 122:13,20 123:5,7 147:23,25 147:25 165:7 198:21 200:6 208:19 212:11 214:12 215:4,4 216:24,25 218:5,22 219:3,4 221:20,21 283:16 285:19 290:14 296:16</p> <p>throw (1) 137:2</p> <p>throwing (1) 27:20</p> <p>Till (1) 63:18</p> <p>time (179) 6:10,22 7:23 8:25 9:7 11:18,21,23 21:22 21:25 26:20,24 27:6 34:15,19 40:20 41:20 45:3 48:16 49:6,9 58:18 62:25 69:8 72:13 73:2,8 74:4 77:6,21 78:5,7 78:8 79:18 80:14 81:15 88:12 90:15 90:20,22,24 91:10 91:17 97:15 99:14 102:9,15,18 103:8 105:6,15 106:4 108:9,12,22 109:2,9 112:21,24 113:25 114:5,11,22 115:14 116:2,6,18,19 120:17 122:22,23 123:15,19 124:3 126:7,19 127:4,21 128:9,11 129:8,20 129:20 130:7 135:10 138:10 145:17,18 146:14 147:5,22 148:19 150:25 151:9 156:12 158:14,23 159:23 162:6,7,8,18 163:7 164:7 165:14 165:18 166:3,17,20 167:2,17 170:21,24 172:13,15 174:8,15 175:24 176:16,16</p>	<p>187:3,6,9,13,15,20 189:2,4,21 193:2,9 193:19 194:12,14 194:17 204:7 208:5 224:13,18,21 228:20 229:2 235:8 235:9 239:5 240:17 246:23 248:24 251:13,14 253:8 259:13,20 260:13 263:4,6 264:14,19 264:22 265:11 266:14 269:14 275:10,13 276:8,15 283:19,22 284:13 285:23 288:14,17 289:18 290:25 293:3 296:6,23,25 297:10</p> <p>times (55) 9:4,12,13 10:19 15:16 15:17 16:10,19,23 23:16 24:23 71:20 76:17 81:7 84:23 87:4,10 95:10 103:12 105:18,19 105:21 106:6 121:22 126:9 130:8 142:19 145:16 148:9 149:2 162:5 176:5 178:20 179:24 180:23 187:7 215:4,5 216:24,25 218:5,12 218:22 219:3,4 221:20,20,21 236:8 236:14,21 260:8 271:12 282:12 290:14</p> <p>title (5) 62:20,23 63:15 64:19 64:21</p> <p>today (36) 6:5,17 10:8 14:11 15:12 17:9 19:11,12 19:13 21:14 23:15 27:20 40:15 44:2 46:25 50:6 64:19,21 99:7 106:2 112:4 177:9 178:20 179:22 180:21 181:16 183:12 205:5 243:11 261:24 263:18 270:19 275:19 291:22 292:15</p>	<p>295:17</p> <p>today's (2) 18:2 296:23</p> <p>told (24) 13:17 14:16 52:24 54:13,17,22,25 56:7 56:19 60:15 93:25 106:17 112:20 129:4 131:6 142:9 168:16 171:5,20 173:3,6 258:11 266:20 270:12</p> <p>tooth (1) 100:24</p> <p>top (3) 24:14 153:8 245:25</p> <p>topic (1) 151:16</p> <p>total (11) 140:20 143:21 144:2 160:10,11,11 198:19 200:15,16 201:21 215:15</p> <p>totally (1) 280:23</p> <p>touch (2) 48:18 53:10</p> <p>Township (1) 115:10</p> <p>trade (2) 64:7,13</p> <p>traded (1) 64:16</p> <p>Traders (1) 290:11</p> <p>trading (1) 63:23</p> <p>transcript (4) 59:17 168:10 286:8 297:15</p> <p>treat (3) 132:6 133:13 137:3</p> <p>trial (5) 210:16 220:6 289:3,4 295:15</p> <p>trick (1) 137:3</p> <p>tried (7) 59:18 67:16 73:25 74:3,4 100:19 108:9</p> <p>tropical (1) 104:17</p> <p>true (33) 33:5,8 47:22 133:17 137:22 144:16 164:22,25 165:7</p>	<p>185:8,10 210:4 236:19 252:3,10 258:22,24 261:6,7 261:10 262:8,12,15 262:17 277:17,23 278:17,25 279:5,13 293:11 294:21,23</p> <p>trust (1) 212:9</p> <p>trusted (1) 82:11</p> <p>truth (8) 17:19 39:13 240:5,22 297:7,7,7 301:17</p> <p>truthful (1) 15:25</p> <p>try (17) 28:7 69:14 74:6 111:3 126:11 132:4 133:10,11 136:2,4 136:24 137:2 148:6 173:15 264:16 283:13 294:5</p> <p>trying (2) 54:21 286:7</p> <p>TSG (2) 4:13,16</p> <p>turkey (2) 110:20 173:8</p> <p>turn (2) 153:5 179:14</p> <p>twelve (2) 212:17,18</p> <p>Twenty-two (1) 226:13</p> <p>twice (1) 149:3</p> <p>Twizzlers (13) 213:11,18,23 214:2 216:23 218:19,19 219:12 221:12 226:6,17 227:6 301:11</p> <p>two (64) 9:14 10:3,5 11:3 28:13,14 31:6,21 37:16 38:8 48:9,10 48:17 50:17 51:13 53:23 66:17,19,19 66:21 73:10,11 84:9 116:4,14 122:13,19 122:23 123:21 126:17 129:7 134:25 135:5 146:21,22 147:2 163:8 174:5 175:10</p>
---	--	--	---	---

181:2,3,4,5,7 182:11 186:7 189:15 201:19 202:15 209:4 224:7 229:15,22 238:11 241:13 243:21 245:25 251:12 266:21,24 280:23 285:18 290:14 291:3 two-year (2) 73:21,22 types (3) 116:24 135:7 186:7 typewriting (1) 297:12 typically (13) 117:15 120:14,22 121:14 122:6,9,16 122:18 123:8 135:6 135:8 145:23 290:6	untrue (1) 295:21 unusual (1) 135:24 updates (2) 9:5,14 upteen (1) 236:21 URI (2) 65:8,10 use (3) 112:6 140:11 142:18 uses (1) 78:24 usually (7) 72:10 78:24 79:2 82:4 121:2,5,11 <hr/> V <hr/> v (2) 1:6 4:6 Vague (1) 296:3 validity (1) 155:2 value (8) 96:18 129:12 214:7 240:6 248:11,14,20 274:6 Vanilla (1) 135:19 varieties (10) 162:24 163:3 179:18 179:21 180:3,22 184:9 244:10,12,13 variety (11) 104:2 105:13 107:13 149:17 179:25 180:22,23 253:5 287:2,5 302:13 various (7) 28:21 41:12 42:10 78:16 206:14 224:24 240:7 vegetable (4) 84:5 238:8,12,16 vegetables (5) 79:10 119:15,16 120:3,12 veggie (4) 70:20 79:14 86:24 237:6 Venable (2) 3:8 4:23 verbiage (1) 80:11	verification (20) 20:11,15,16 30:16 32:10,12,20 35:12 35:13,20 37:4,5,8 37:14,20 38:23 295:2 299:22,24 300:6 verified (1) 39:20 verifying (2) 37:20 39:13 versus (28) 69:17,21 71:18 82:18 98:3 114:13 120:13 159:14 161:23 200:22,23 201:15 201:15,25 207:10 211:13,17 217:2 218:15 219:17 228:16,24 229:21 236:5 237:5 238:23 242:12 255:18 vibrantly (3) 204:16,20 206:9 video (2) 4:3,14 VIDEOGRAPHER... 3:25 4:2 5:6,9 11:13 11:16,21 21:19,22 21:25 49:6,9 102:14 102:18 170:21,24 224:18,21 247:19 259:13,20 283:19 283:22 296:22 VIDEOTAPE (1) 1:12 Videotaped (1) 2:5 view (2) 216:6 288:13 viewed (1) 285:10 views (1) 98:14 virtually (7) 105:15 182:24 183:21 184:4 243:15 244:2 244:5 visit (1) 183:9 visited (1) 183:4 vitamin (21) 45:20,21,24,24 70:22 96:17 177:17 178:12,13 195:9,17	196:8,21 237:7 240:6 241:9 247:13 248:16 252:23 256:5 282:9 vitamins (59) 45:14,15 69:25 80:7 96:16,18 114:17 150:16 152:15,24 162:13 164:3,21 165:24 177:16,17 195:3,7,9,17,25 196:10,12,15,18 197:22,23 198:5,6 225:2,5,21 234:2 237:11 241:10 252:22 254:14,17 254:19,21,23,24 255:4,5,6,10,11,16 255:18,18 256:4,10 256:15 260:16 271:14,18 273:17 274:4 300:23 voracity (1) 154:25 <hr/> W <hr/> Wage (5) 1:24 2:8 4:15 297:3 297:25 wait (3) 8:16 16:11,12 waiving (1) 179:16 walk (2) 119:14,25 Wall (1) 115:10 want (19) 16:24 52:7 155:8 184:11 185:14 197:5,19 199:12,18 217:17 225:13 234:7 254:2 272:2 273:19 280:7 283:16,17 292:10 wanted (5) 176:18 209:19 286:18 289:14,14 wants (2) 49:3 199:15 wasn't (23) 44:21 50:11 59:15 73:15 104:18 124:9 145:18,21 161:10 161:20 163:22 166:3,18 169:13,16	187:5 191:19 194:20 209:12 229:14,18 285:3 288:10 water (5) 123:23 124:22 280:5 281:17,25 wax (1) 211:4 way (11) 48:20 51:6,23 90:24 124:24 141:15,17 198:8 243:8 288:15 297:21 ways (1) 200:6 we'll (22) 23:22 28:21 31:10 32:16 36:4 37:3 46:7 59:23 60:3 85:21,22 88:14 113:24 149:12 192:21 199:4 224:16 226:16 240:18 241:17 286:22 290:8 we're (24) 11:18,22 21:23 22:2 25:8 28:20 49:7,10 102:15,19 170:18 170:22,25 216:11 224:19,22 259:14 259:21 277:8 278:4 282:4 283:20,23 296:23 we've (12) 22:3,4 44:18 94:5 103:20 142:9,15 216:23 224:15 247:18 267:16 275:12 website (3) 269:17,22 270:8 websites (1) 269:19 Webster's (1) 181:2 week (54) 18:12 19:24 22:24,25 23:7 24:7 27:3,7,18 28:2,4,16 30:7,9,14 30:15 31:21 32:14 33:20 34:13 35:9 38:7 39:19 40:20,21 48:5 55:19,21 58:17 59:6 60:11,22 76:17
---	--	---	--	---

<p>95:8 122:10,10,15 123:4,9,19 124:19 126:23 149:2,3 173:22,25 174:5 180:11,16,18 270:13 275:24 290:9 292:15</p> <p>weekly (3) 87:11 95:2 172:7</p> <p>weeks (6) 38:8 122:13 134:25 293:20 295:3 296:17</p> <p>weighed (1) 151:16</p> <p>weight (2) 214:23 225:20</p> <p>Welch (11) 1:7 4:6,23 29:8,12,16 29:21 45:7 207:10 299:14,17</p> <p>Welch's (215) 31:7 34:3,7,8 35:21 45:7 50:12,22 51:7 51:17,25 55:5 58:11 58:21 60:21 67:7,14 68:13,17,20,24 69:5 69:9,17,21 71:9,17 71:22 72:15 77:7 79:18,23,25 81:21 82:18,25 83:16 84:20,20 88:4,8,14 88:17 90:3 91:19 92:7 94:7,11,17 100:13 101:24 102:22 103:21,23 105:7 106:2,8 107:12 110:16,21 111:8,13 112:6 113:4,7 114:13,18 115:13,17 116:22 116:24 117:9,17 118:18 119:8,13,19 120:7,25 123:15,24 124:4,8,20 125:10 125:12,13,19,21,24 126:11,22 127:7 128:20 130:12 131:13 132:2,8,21 133:4,20 134:6,16 136:13 137:14,16 138:11 139:16 146:5,20 147:9,20 148:8 149:14,17 156:19,22 162:3,18 163:7,14,16 165:11</p>	<p>167:24 169:17 171:8,12,18 182:17 183:25 184:14,19 202:9 203:2 204:18 206:13,20,24 208:22 209:24 210:5,6 211:14 213:3,25 214:12 215:5,20,25 216:6 218:6,13,16,22 219:4,10 220:22 221:10 225:24 226:4 229:8 230:9 230:15,17 232:11 232:13,21 236:5,22 237:11 238:2,17 241:6,14 242:12,21 244:17 245:22 246:16 248:13 249:23 253:11 254:4 263:22 264:2 264:9 265:23 266:12,15 267:9,17 268:8,14 269:18 270:7,24 272:6,21 273:8 274:23 279:19 280:16 281:5 282:12 286:11 291:2,4,6,9 291:13 300:15,18 300:19 301:4,5</p> <p>well-known (1) 94:11</p> <p>went (8) 8:9 41:4 63:16 80:24 110:20 127:2 169:3 230:2</p> <p>weren't (13) 102:2 161:4,24 162:9 164:6 167:21 174:23 193:21 223:21 231:4,5 256:6 291:21</p> <p>whatsoever (2) 211:7 212:25</p> <p>white (1) 211:5</p> <p>Winnie (2) 124:25 125:3</p> <p>wished (1) 248:3</p> <p>within-entitled (1) 297:8</p> <p>witness (37) 5:12 35:3 36:23 43:4 49:3 59:23,25 75:8</p>	<p>75:12 93:13 113:8 154:11,16 168:7,16 176:9 179:5 183:15 203:24 204:13 210:21 217:24 222:10 236:10 244:11 251:14 254:10 259:7,25 276:13 280:4 295:11 296:20 297:5,11 299:3 303:6</p> <p>Woodland (1) 3:5</p> <p>word (3) 195:11,21 239:9</p> <p>words (5) 154:16,17 196:5,6 206:19</p> <p>work (3) 62:5,7 65:22</p> <p>worked (2) 62:8 66:9</p> <p>works (2) 12:25 48:19</p> <p>wouldn't (7) 19:2 100:10,25 117:20 262:17 264:5 269:9</p> <p>wrap (1) 283:13</p> <p>writing (2) 15:15 20:18</p> <p>written (1) 293:16</p> <p>wrong (2) 168:12,19</p> <p>wrote (4) 270:5 273:8 277:7,8</p> <hr/> <p>X</p> <p>X (6) 297:15 299:2,5 300:2 301:2 302:2</p> <hr/> <p>Y</p> <p>yeah (65) 5:21 8:2,20 16:18 18:23 21:21 23:8 27:3,12 30:25 37:10 41:10 49:14 51:22 54:9 56:13 73:12 80:22 81:9 85:6 88:11 89:25 95:9 99:18 100:14 105:20 107:18</p>	<p>115:2,10 119:21 121:10,16 122:11 124:15,16 127:14 129:9,11 130:9 131:18 134:10 143:4 154:4 155:14 156:17 160:20 161:2 166:2 170:20 171:7 174:12 178:18 181:18 196:9 197:4 205:9 205:23 218:11 223:22 229:7 232:4 233:11 252:2 264:23 266:6</p> <p>year (22) 17:3 23:8 50:17 51:13 55:20 73:9 90:9 116:4,14 147:14,17 147:18,19 182:11 207:13 236:18 251:9 282:18 285:13,17 291:3 292:19</p> <p>years (79) 48:6,7,9,10,17 53:23 62:21 67:10 73:4 75:17 79:21,23 80:2 80:4,6,12 87:10 90:9 94:25 95:7,24 97:11 98:6,7,20,24 99:7,15 100:5 108:20 110:7 112:11 116:9,9,11 122:23 134:4 145:4 145:10,15,20 146:4 146:12,13,16 147:8 147:19 163:13 170:4 171:17 172:7 174:4,5 182:13 183:6,10 184:13,18 187:8 191:14 192:15,25 232:3,11 237:9,10,15,21,24 243:23 251:4,12 266:21,24 272:3 285:18,19,19 290:23</p> <p>yellow (2) 211:5,5</p> <p>Yep (17) 63:8 84:13 101:19 108:16 115:6 185:19 218:4,8,14 218:18,24 219:2,6 243:18 245:18,21</p>	<p>271:19</p> <p>yeses (1) 16:4</p> <p>yogurt (2) 111:7,8</p> <p>York (3) 1:1 2:12 4:9</p> <p>young (1) 122:14</p> <p>youngest (1) 123:6</p> <hr/> <p>Z</p> <p>zero (3) 134:16,17 217:2</p> <hr/> <p>0</p> <p>0 (3) 127:19 215:21 218:16</p> <p>07424 (1) 3:5</p> <p>07762 (1) 5:12</p> <hr/> <p>1</p> <p>1 (14) 4:3 17:25 18:3,6 46:18 92:3 121:24 160:21 179:9,13 211:6 218:2 277:13 299:7</p> <p>1-800 (2) 268:16,20</p> <p>1.99 (1) 242:13</p> <p>1:40 (1) 170:23</p> <p>1:41 (1) 170:25</p> <p>10 (41) 27:23 35:11,13 67:11 81:7 103:22 105:2,4 121:2 127:19 140:20 142:13,13 142:13,13,13,13,19 143:22,22,23 153:6 153:8 154:19,21 161:9,23 181:13,13 181:21 198:18,22 200:3,3,3,4 201:23 299:24 303:8,9</p> <p>10:15 (2) 49:7,8</p> <p>10:23 (2) 49:8,10</p>
---	--	--	---	---

<p>100 (3) 70:22 178:12 195:17</p> <p>100% (9) 177:17 237:6 240:6 241:9 281:10 282:2 282:9 283:9 302:12</p> <p>11 (33) 27:23 36:4,5,8 37:24 38:16 39:4,7,14 66:7 106:22 107:6 108:6,15,18 127:11 127:20 128:8 172:24 211:14 215:21 235:21 263:2,10,11 265:17 283:25 284:3,24 285:2,6,24 300:4</p> <p>11:22 (2) 102:15,17</p> <p>11:30 (2) 102:17,19</p> <p>113 (1) 300:18</p> <p>12 (11) 37:3,5 62:21 78:11 83:4 163:2 201:25 212:12 259:23 263:11 300:6</p> <p>12:40 (2) 170:22,23</p> <p>13 (9) 42:16 43:13,13,18,23 62:21 263:12 276:11 300:7</p> <p>139464 (1) 1:25</p> <p>14 (6) 75:11 85:22,23 225:14 300:9 303:8</p> <p>140 (2) 211:17 225:15</p> <p>149 (1) 300:19</p> <p>15 (8) 85:22 86:3 143:22,22 158:5 248:2 283:14 300:12</p> <p>1500 (2) 2:6 4:10</p> <p>152 (1) 300:20</p> <p>156 (1) 301:4</p> <p>16 (8) 88:14,16 103:20,25 104:24 127:7</p>	<p>138:12 300:15</p> <p>17 (22) 1:2 8:15,16,17,19 9:2 12:2 14:17,22 15:3 15:6,6 21:5,8 22:14 113:2,3,6 149:8 203:9 211:25 300:18</p> <p>17th (1) 65:4</p> <p>18 (10) 15:5 32:23 149:12,13 149:16 158:6 203:9 211:13 299:7 300:19</p> <p>19 (6) 152:10,11,17 300:20 303:8,8</p> <p>1977 (1) 65:4</p> <p>19th (7) 33:22 34:13 35:9,24 39:19 180:11,16</p> <hr/> <p>2</p> <p>2 (13) 23:23,25 26:7,19 27:5 160:4,8,12 184:24 205:25 277:19 299:9 303:8</p> <p>2:37 (2) 224:19,20</p> <p>2:42 (2) 224:20,22</p> <p>20 (17) 12:4 14:16 142:13 156:18,22 158:12 161:9 176:7 201:25 202:16 203:9,15,18 225:15 226:12 284:2 301:4</p> <p>2004 (3) 113:4,17 300:18</p> <p>2005 (4) 61:17 62:9,11 63:3</p> <p>2007 (3) 63:4,10 64:12</p> <p>2008 (1) 113:20</p> <p>2009 (7) 63:10,15,19 67:11 69:9 87:22 88:2</p> <p>2010 (2) 66:6 69:10</p> <p>2011 (1) 65:21</p>	<p>2012 (5) 63:19,25 64:14,16 149:20</p> <p>2014 (3) 149:14,18 300:19</p> <p>2015 (4) 156:19,24 157:2 301:4</p> <p>2016 (3) 54:10 203:2 301:5</p> <p>2017 (15) 9:2 11:12 20:25 24:16 24:19,24 25:2 26:3 54:3,10 115:7 152:17 204:2 262:21 293:2</p> <p>2018 (10) 1:15 2:3 4:12 31:23 33:9 35:17 37:11 293:20,20 298:23</p> <p>202 (1) 301:5</p> <p>2049 (1) 3:10</p> <p>21 (5) 202:25 203:4,5 284:2 301:5</p> <p>22 (3) 226:16,19 301:6</p> <p>226 (3) 301:6,8,9</p> <p>227 (2) 301:11,12</p> <p>22nd (3) 36:22 39:23 40:5</p> <p>23 (6) 226:17,23 227:14 299:9 301:8,14</p> <p>23rd (9) 32:13 33:8,14,21,22 33:24 35:17,24,25</p> <p>24 (3) 226:17 227:2 301:9</p> <p>240 (4) 215:3,15 218:19 301:17</p> <p>241 (1) 301:19</p> <p>2424 (2) 5:11 61:6</p> <p>244 (2) 301:21,23</p> <p>245 (2) 302:4,6</p> <p>24th (1) 296:16</p>	<p>25 (12) 96:17 107:23 178:13 195:16,24 196:12 196:14 218:15 226:17 227:5 299:10 301:11</p> <p>25% (2) 177:17 195:25</p> <p>250 (1) 218:2</p> <p>259 (1) 302:9</p> <p>26 (5) 26:3 37:11 226:18 227:8 301:12</p> <p>26color (1) 227:9</p> <p>26th (1) 39:20</p> <p>27 (2) 239:23 301:14</p> <p>28 (7) 1:15 2:3 4:11 24:19 25:22 240:21 301:17</p> <p>283 (1) 302:11</p> <p>286 (1) 302:13</p> <p>29 (6) 241:19 299:11,14,17 301:19 303:8</p> <p>291 (1) 299:4</p> <hr/> <p>3</p> <p>3 (18) 25:9,10,13 26:7 27:5 75:7 121:3,22 181:21 203:23 222:11,12 229:25 248:3 254:9 259:24 278:22 299:10</p> <p>3/23/18 (4) 32:21 35:14 299:22 299:25</p> <p>3/26/18 (2) 37:6 300:6</p> <p>3/Paragraph (1) 222:8</p> <p>3:19 (2) 259:14,15</p> <p>3:25 (1) 259:15</p> <p>3:26 (1) 259:21</p>	<p>3:53 (2) 283:20,21</p> <p>30 (16) 10:8 12:4 140:23,25 144:16 198:23 200:5 218:25 242:24,25 244:21 245:13 261:21,24 262:2 301:21</p> <p>30-minute (1) 14:17</p> <p>31 (3) 244:25 299:20 301:23</p> <p>32 (3) 245:5 299:22 302:4</p> <p>33 (4) 215:3,15 245:9 302:6</p> <p>34 (6) 242:24 245:14 259:16 280:8 299:23 302:9</p> <p>349 (1) 145:18</p> <p>35 (7) 115:7,10 282:7 283:8 286:23 299:24 302:11</p> <p>350 (13) 95:10,13,20 103:10 103:12 105:10 145:16 171:16 181:24 271:12 272:3 273:19 274:8</p> <p>36 (4) 286:24,25 300:4 302:13</p> <p>365 (1) 3:4</p> <p>37 (1) 300:6</p> <p>3rd (1) 24:19</p> <hr/> <p>4</p> <p>4 (8) 28:23 29:2,3,25 30:18 121:22 204:12 299:11</p> <p>4-9-2018 (1) 297:24</p> <p>4:03 (2) 283:21,23</p> <p>4:17 (2) 296:23,25</p> <p>40 (20) 81:7 92:3 103:22 105:3,4,5 121:4,5</p>
---	---	--	--	---

121:18,20,22,23 122:4,7,8 181:14,22 211:5 218:9 225:20 42 (1) 300:7 44 (1) 303:9 46 (2) 218:9,10 49 (2) 282:11,25 4s (1) 28:21 <hr/> 5 <hr/> 5 (22) 28:21 29:7,11,25 83:4 142:12,13,13,18,19 143:23 153:16 161:8 163:2 201:22 201:25 211:5 215:16 233:5 279:7 299:4,14 50 (34) 140:21,25 141:24 142:12,15,18,21,23 143:21 144:3,7,9,15 160:4,8,12,18,21 198:19,20 199:7,10 199:10 200:2,4,4,16 200:18 201:5,21,22 202:16 254:8 261:19 51 (1) 256:9 5th (2) 24:15 54:2 <hr/> 6 <hr/> 6 (12) 28:21 29:15,20 30:2 30:18 42:22,24 43:3 106:6 278:5 279:17 299:17 63 (1) 277:4 64 (6) 43:8 44:23 258:14 277:3 279:22,24 <hr/> 7 <hr/> 7 (8) 30:23 31:11,12,15 64:9 179:2 201:25 299:20 7.99 (2)	121:6,13 7/22/82 (1) 61:4 75 (1) 161:22 7Flavored (1) 302:7 7th (9) 31:23 32:2,3,8,9,18 35:5 180:10 294:18 <hr/> 8 <hr/> 8 (12) 32:12,17,20 121:22 122:2 181:17,22 222:6,8,13 229:24 299:22 8.99 (2) 121:6,13 8:15 (1) 7:6 80 (3) 127:18 211:17 215:21 800 (2) 269:2,14 85 (1) 300:9 86 (1) 300:12 88 (1) 300:15 <hr/> 9 <hr/> 9 (10) 27:23 34:2,4 113:20 122:2 232:5 233:17 299:23 303:8,8 9:07 (1) 2:4 9:08 (1) 4:12 9:16 (2) 11:18,20 9:17 (2) 11:20,22 9:27 (2) 21:23,24 9:35 (2) 21:24 22:2 90 (2) 261:14,15 90067 (1) 3:11 98 (1) 106:4 99 (1)	179:23		
--	--	--------	--	--